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ΕΙΣ ΦΑΟΣ
George Bancroft

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MEMOIRS

OF

JOHN QUINCY ADAMS,

COMPRISING PORTIONS OF

HIS DIARY FROM 1795 TO 1848.

EDITED BY

CHARLES FRANCIS ADAMS.

VOL. IX.

PHILADELPHIA:
J. B. LIPPINCOTT & CO.
1876.

Entered according to Act of Congress, in the year 1876, by
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TABLE OF CONTENTS.

CHAPTER XVII. (*Continued.*)

PAGE

THE TWENTY-THIRD CONGRESS 3

CHAPTER XVIII.

THE TWENTY-FOURTH CONGRESS 214

CHAPTER XIX.

THE TWENTY-FIFTH CONGRESS 344

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CHAPTER XVII. (*Continued.*)

THE TWENTY-THIRD CONGRESS.

JUNE 24th, 1833.—This day is one of those anniversaries which bring to my mind placid recollections. It is that of my arrival at Ghent. There is in the remembrance of the large half-year which I passed in that city a charm belonging to no other period of my life. The scenery through which I had passed from the painful day when I left my wife and son Charles at St. Petersburg; the deep anxiety and almost despondency with which I looked forward to the prospect of a failure in the object of the mission; the kindness and courtesy which I experienced from the inhabitants of Ghent during the whole term of our residence there; the comfort and tranquillity and friendly hospitality which marked the mode of existence of the people; the trying struggles and collisions with the British Commissioners and with my own colleagues which I underwent; the success beyond my most sanguine expectations which closed the negotiation, and the subsequent signal discomfiture of a dark conspiracy there concerted against my character and good name, have endeared that period of my life to my memory beyond any other. I arrived at Ghent in company with Jonathan Russell, who then wore the mask of friendship. He is gone to his account, and was sufficiently punished in this world for his perfidy. And Bayard is gone; and in the most recent reports from England I see announced the death of Lord Gambier, the first of the

British Plenipotentiaries. Nineteen years have passed away since we met. I have since then endured great vicissitudes, deep distresses, and insidious prosperities. A merciful and protecting Providence has led me through them all. The transactions at Ghent were the most fortunate occurrences of my life.

25th. The President must hasten back to Washington, or he will be glorified into his grave. They so fagged him by their reception on Friday, and their presentations and addresses on Saturday, that he failed going to the Brattle Street Church with Governor Lincoln on Sunday morning, but made out to go with Lieutenant-Governor Armstrong to the Old South Church in the afternoon. Monday morning there were to be two exhibitions: one, putting the Constitution frigate in the new dry-dock at the navy-yard, Charlestown; the other was an address delivered to him on Bunker Hill, by Edward Everett; and in the afternoon he was to receive his scientific honors at the Harvard University. He was sick in bed the whole day, under the care of Dr. Warren. This day the weather alone would keep him in his lodgings, at the Tremont House; but he is convalescent. The Constitution went into dry-dock without him; the Bunker's Hill and Harvard University decorations are postponed.

26th. The President went this day to Cambridge, and received the honorary degree of Doctor of Laws. Mr. Quincy delivered an address to him in English, and a member of the Senior Class an oration in Latin. From thence the President returned to Charlestown, where Mr. Edward Everett delivered the address to him on Bunker's Hill; after which he proceeded to Salem.

27th. Dr. Waterhouse came and dined with us. The Doctor is now near fourscore years of age, and his constitution seems to be breaking up. He told me that he had never felt the effects of old age so much as within the last six months, and that this would probably be the last visit he should pay me. He found it troublesome to go so far from home, and must soon shut himself up and keep house. He was, however, present yesterday at the ceremony of conferring the degree of

Doctor of Laws upon President Jackson, and was much captivated by the ease and gracefulness of his manners. He shook hands with him twice, and told him he had heard of him many years ago, and was very glad to take him by the hand now. But he says Jackson is so excessively debilitated that he should not be surprised if he should never reach Washington again. I believe much of his debility is politic—part his own policy, to suit his returns of civility to his own convenience and pleasure, and part the policy of his physician, pour se faire valoir. He is one of our tribe of great men who turn disease to commodity, like John Randolph, who for forty years was always dying. Jackson, ever since he became a mark of public attention, has been doing the same thing. He is so ravenous of notoriety that he craves the sympathy for sickness as a portion of his glory. He is now alternately giving out his chronic diarrhœa and making Warren bleed him for a pleurisy, and posting to Cambridge for a Doctorate of Laws; mounting the monument of Bunker's Hill to hear a fulsome address and receive two cannon-balls from Edward Everett, and riding post to Lynn, Marblehead, and Salem, receiving collations, deputations, and addresses at them all, in one and the same day. Four-fifths of his sickness is trickery, and the other fifth mere fatigue. He will drag himself along in this way, disconcerting all the costly arrangements for his reception, disappointing three-fourths of the people, male and female, who are agonizing to see him and boast all their lives of having shaken hands with him; and finally crawl back to Washington, perhaps shut himself up one or two days, and then come forth in the Globe, never in better health and spirits, and determined to live these twenty years.

Dr. Waterhouse discussed the propriety of the university's conferring upon him a Doctorate of Laws. I said a Doctorate for which an apology was necessary was a cheap honor, and that I thought it a sycophantic compliment. The Doctor said it was thus truly characterized.

July 2d. President Jackson has been obliged by the feeble state of his health to give up the remainder of his tour, and from Concord, in New Hampshire, yesterday, returned through

Lowell to Roxbury without passing through Boston. He lodged last night at the house of Mr. Bradford, one of his partisans in Roxbury, to proceed this day to Providence, thence in the steamboat to New York, and intending to reach Washington on Thursday. And so ends this magnificent tour; but whether from real disease, crafty sickness, or the collisions of rival servility between the two parties in New Hampshire, is yet uncertain; perhaps a little of all three.

10th. I had a visit this afternoon from Mr. Benjamin F. Hallett and Mr. Gassett, with whom I had a long conversation upon Masonry and Anti-Masonry. They had also the object of urging me to consent to be nominated by the Anti-Masonic Convention which is to be held in September next, for the office of Governor of the Commonwealth, which Hallett stated was equally desired by the Anti-Masonic party and by a portion of the National Republican party. He named particularly the two brothers Everett, Stephen C. Phillips, Stephen White, and D. Webster. Mr. Hallett presented to me a variety of considerations, especially of public interest, to induce me to yield to their wish; which I answered by repeating those which sway my inclination to the contrary. My own conviction is strong that I ought not to yield to this proposal. I cannot see any important interest which requires of me the sacrifice which it would demand of inclination, of feeling, and of judgment. Mr. Hallett said Alexander H. Everett had promised him that he would see and converse with me very shortly upon this subject. My own judgment is against it, and I wish I may have firmness to adhere to it. Mr. Hallett spoke of the probability that Marcus Morton might be elected, and said that some of the National Republican party had made proposals to Mr. William Baylies, who had declined on the ground that Mr. Morton had prior pretensions.

Mr. Gassett told me that the Anti-Masons had written a letter to General La Fayette, and were expecting his answer; that Mr. Edward Everett had been invited to attend the recent Anti-Masonic meeting at Concord, and had written an answer, which would be published; and that Hallett had written a letter to Poinsett while he was here, which Poinsett had not answered.

11th. I this day commence upon the sixty-seventh year of my age, and am approaching very close upon the limits allotted to long life. Threescore years and ten is the term of duration allotted to a sound and vigorous constitution. That term I have very nearly gone through, and have no right to expect a longer lease. I would I could flatter myself that I should improve to useful purpose the remainder of days that may be allowed me! But I have so often prayed for aid from above, and so often, by my own inefficiency, wasted the time and means with which I have been indulged, that I dare no longer pray.

21st. I was anxiously desirous of devoting the whole day to religious meditations, and I feel that desire growing upon me most earnestly from week to week; but I was deeply disappointed. I read the first sermon of the fourth volume of Saurin —on the study of religion. I thought it worthy of being read over and over. There was a written note in the book, importing that the former owner of it had read this sermon the 20th of July, 1783—yesterday was fifty years—and that he had read it a second time in October, 1784. It might be profitably read by any sincere Christian three times over, and then profitably read again. It is an admirable discourse upon the duty of connecting practical moral purposes with all study of religion. I began also to read Milman's History of the Jews, of which I had read some chapters last winter at Washington, but with so little attention that I now began it anew. I was interrupted by a visit from Mr. Degrand and Mr. Simmons, a lawyer of Roxbury, who took up the remainder of the day. Their object was to obtain from me some declaration or certificate which might contribute to secure the re-election of General H. A. S. Dearborn as a member of the House of Representatives of the United States. He has failed upon three successive trials by the want of a very small number of votes—twice of less than one hundred out of more than four thousand. The opposition to General Dearborn is Anti-Masonic. He is not a Mason, but in his opinions is opposed to the Masonic institution; but he has not been able to steer impartially between the two parties, who, in the district which he lately represented, and in that for which he is now a candidate, are nearly equally divided. The Anti-

Masons are under the impression that he has deceived them, and there has been apparent inconsistency in his conduct on the occasion, at different times. Deception is not in his character, for he is candid and open-hearted. These gentlemen urged that my name was used to influence the election against General Dearborn, and they wished some document from me to counteract that influence.

I told them that I had a very friendly regard for General Dearborn, and thought him a very valuable member of Congress; that I regretted the opposition to his re-election, and should be gratified if he should ultimately succeed. But I had made it a rule since I had occupied the station of President of the United States not to interfere in any political elections; that there was a peculiar delicacy which restrained me from any interference between the Anti-Masons and General Dearborn, but that I had, in conversation with some of the leading Anti-Masons, expressed my opinions and wishes as being favorable to him. Mr. Simmons appeared to acquiesce in this determination. Degrand pressed me by various arguments, but I persevered in refusal. They walked with me in my garden and nursery, and left me not long before nine in the evening. We had much conversation upon the subjects of Masonry and Anti-Masonry, on which I hold it necessary to keep a perpetual guard upon myself against falling into excess. The controversy is in itself so exciting to the passions that the curb can never be relaxed with impunity. I regret that I cannot consistently with my principles lend a hand to secure the election of Dearborn, who is an honest-hearted and fair-minded man, and whose indiscretion is visited upon him severely.

22d. This was the quintessence of summer, the hottest day of the season. My first visitor was Mr. George Veazie, with whom I settled an account. Then came the Rev. Mr. Johnson, from Weathersfield, Vermont, an itinerant preacher of the gospel, with Mr. Pittee, an inhabitant of Quincy, with whom I had not been before acquainted. Mr. Johnson came to see me partly from curiosity, and partly to converse with me upon the doctrines of grace, election, and reprobation, the Trinity, the divine and human natures of Jesus Christ, and the influences

of the Holy Spirit upon the soul. Upon these topics he warmed himself until he found it necessary to strip off his coat; but he had nothing new to say upon them. As usual, his discourse consisted of a string of texts from Scripture, chiefly from the Epistles of Paul, and to which he could affix no precise meaning; and when I pressed him for definite ideas, he said it was true, great was the mystery of godliness. He told me he had preached last evening to the orthodox congregation, of which Mr. Smith is now the occasional pastor; and that he had been preaching about the country as far south as Maryland. He said that he approved of my opinions upon the subject of Masonry, and had been in favor of my election as President, though without meddling much with politics. I told him that was altogether proper; and that with regard to my creed, my judgment was not wholly under my own control; that my faith must be subject to my judgment, and that I could believe nothing contrary to my reason and not intelligibly revealed. Mr. Johnson was here at least two hours, and all the time discussing these questions. He finally left me, I believe, because I ceased to reply.

26th. Went to the Tremont Theatre, where a French company from New Orleans are performing. The play was a new melodrama operatized, called "Zampa, or the Marble Bride." The old story of Don Juan, only metamorphosing the statue into a woman, and adapting a suitable and easy story to the change. The author is named Herold, and it is said to have had a hundred and fifty representations at Paris. The music was fashionable and dull—in the Rossini style, without harmony, without sentiment, without humor, without passion, and, like all the new music I have heard for the last ten years, a general gargle for sore throats. There can be no clearer proof of the degeneracy of musical taste than the desertion of the "Matrimonio Segreto," the Molinara, Theodore, Tulipano, Grétry, Méhul, Dalayrac, and Boieldieu, for such trashy, warbling, trilling insignificance as this. We yawned over it till eleven o'clock, and reached home a quarter of an hour after midnight.

28th. I read the second sermon of the fourth volume of

Saurin—upon the love of country. He takes his text and his model of patriotism from Nehemiah. This discourse is remarkable, because Saurin himself was a French refugee from the Edict of Nantes's revocation, and pastor of a French Protestant church at the Hague. Holland was not his native country, nor that of his French auditors. His patriot is Nehemiah—like them, an exile from his own country, but permitted to return to it, which they were not. Saurin analyzes from the story of Nehemiah the principles of patriotism, and separately discusses them, as composed of a spirit of—1, devotion; 2, reformation; 3, mortification; 4, prudence; 5, vigilance; 6, firmness; 7, disinterestedness. There are two distinct addresses—one to the natives of the Netherlands, and the other to his own countrymen, the French refugees, who, he says, are deprived of the privilege of exercising the virtue of patriotism. This is a very curious example of the modifications with which time, place, and circumstances affect the sentiments of men in their social relations.

I read also the remainder of book one—the Patriarchal Age—and book two—Israel in Egypt—of Milman's History of the Jews. He begins with Abraham. There are two difficulties to all modernized histories of the Jews—neither the facts nor the characters are subjects of free discussion or enquiry; all is marvellous, all is miraculous, and the attempt to account for the events from natural causes and by natural means strikes at the root of the whole history. The narrative is always at war with physical nature, and the morality is all referable to the single principle of the will of God. Depart but one hair's breadth from that, and all moral principle in the Bible is extinct. What is the crime of eating an apple? Disobedience to the will of God. What is the virtue of butchering a man's own beloved son? Obedience to the will of God. The consequence of which is that we must approve of vicious actions as virtues, and censure good deeds as crimes. From this difficulty Mr. Milman does not escape, nor does he exactly discern the line within which this rule must be restricted. The subversion of moral principle is admissible only so far as the divine will is clearly and distinctly ascertained. The only fair and almost

blameless character among the patriarchs is Joseph; and he, perhaps, cannot be fully justified for telling his two dreams.

30th. Mr. Hardy and Mr. Clark came, and announced themselves as members of the Anti-Masonic county committee for the county of Middlesex, and their object was to consult me with regard to the Anti-Masonic nomination for the offices of Governor and Lieutenant-Governor of the Commonwealth for the ensuing year. First, to ascertain whether I would consent to be nominated by the Anti-Masonic Convention. I told them that I had explicitly declined, from a belief, upon full deliberation, that I can render more useful service to the Anti-Masonic cause and to the public as a member of the House of Representatives of the United States than I could as Governor of the Commonwealth. They then enquired whether I should approve of the nomination by that Convention of Edward Everett. I said that I entertained a high opinion of the talents and integrity of Mr. Everett; that I believed he would do honor to the office of Governor, and if he should be nominated I should be much gratified by the success of the nomination. I said it would, however, be for the consideration of the Convention whether, after supporting two years in succession Mr. Lathrop against Governor Lincoln, it would be just and fair now to abandon him. They thought Mr. Lathrop was not himself solicitous of a renomination, and they believed him to be so unpopular that, if nominated, he could not succeed. They proposed to visit Mr. Bailey, and enquired what I should think of him as a candidate for the office of Lieutenant-Governor. I said I had great regard and esteem for Mr. Bailey, who had been for many years an intimate and confidential friend of mine. It would give me great pleasure if he should obtain the office of Lieutenant-Governor. They said Mr. Fuller was their candidate for Lieutenant-Governor last year, but, as he and Mr. Everett were both inhabitants of Middlesex County, there would be a difficulty in pressing them both for the first and second offices of the State. They spoke of Dr. Ripley's and Bernard Whitman's Masonic addresses. Ripley said he would sooner be cut in two than violate Masonic oaths, and Whitman gave out that Anti-Masonry was nothing more than orthodoxy in

disguise. I said that perhaps the Anti-Masons would do well to consider whether they might not much strengthen their vote for Governor by taking up Mr. Armstrong as their candidate with him. Armstrong is now Lieutenant-Governor, and was elected by the National Republicans for his orthodoxy. Perhaps that party, which is very numerous, might be conciliated by adopting him as their candidate. They said this would deserve much consideration. Mr. Hardy said if Armstrong was not a Mason he might vote for him, but not if he was. They asked me if I would mention to them any other person whom I should prefer as candidate for Governor if there should be insuperable objections to taking up Mr. Everett. I said that was a matter of great delicacy. I did not immediately think of any person, unless it should be Mr. Webster. They thought he looked higher, and might perhaps be President of the United States.

August 2d. On the 2d of August, 1779, this day fifty-four years elapsed, I landed with my father from the French frigate La Sensible, on the beach of the Mount Wollaston farm, from which I had eighteen months before, on the 11th of February, 1778, embarked for France on my first voyage to Europe. This is one of the important anniversaries of my life; and through how many scenes of good and of evil fortune have I since passed! How many of deep distress! how many of exquisite enjoyment! how many of severe trial! how many of painful and pleasant labor! how many of overruling passion! and how few of virtuous self-denial and of disinterested exertion for the good of my fellow-creatures! I cannot say, like Rousseau of Geneva, that I am prepared to present myself before the throne of Omnipotence with my confessions in my hand, and affirm that no better man than myself ever lived. There have been better, because there have been incomparably wiser men. I have little to answer for in my relations with mankind, and have a firm though humble reliance on the mercy of my Maker. A return of rheumatic infirmity this day gave me a new admonition to prepare for the close of life.

5th. Another painful day, with a gathering eruption on my right hand. It suspends most of my labors of the hand in the garden and nursery, and of the head in my chamber. Mrs.

Adams sent for Dr. Woodward, to whom I gave a history of my complaints, my constitution, and almost of my life. He prescribed sundry remedies, some of which I shall perhaps try, but with a strong conviction that my only effectual remedies are patience and resignation, and, above all, preparation for my last change. If this idea presents itself too often in these pages, it is because it is not often enough in my mind, and never with any good practical result. My present infirmity serves me only as an apology for wasting my time in idleness. I have for the last ten days devoted about an hour every day to teaching my granddaughter—John's child—Louisa to read the alphabet. She seems to make no progress, though not deficient in intelligence. I find here, too, that the qualities perhaps the most indispensable to a schoolmaster are patience and perseverance. After repetitions almost numberless of pointing out the same letter or the same syllable to a child, it forgets them; and it seems as if the more pains you take the more the memory of the child recalcitrates against the admission of the idea into the mind which you would plant there. I sometimes find myself inclined to believe it wilful obstinacy in the child; but in the teacher this is more to blame than the child for its inaptitude to learn. The belief that the child is obstinate excites anger in the teacher, and anger is impatient to punish. The teacher is then the party that needs punishment. Soothing, coaxing, flattering, a little, very little, shaming, is needed by the child. Imperturbable equanimity, untiring patience, unweariable perseverance, are the wants of the instructor. What trials of temper for the teaching of one child! When I feel much exasperated at my scholar's dulness of apprehension, my best resource is to tax myself with learning the Hebrew alphabet, which I have been endeavoring to do some forty odd years, and have not yet accomplished. The thickest skull upon which instruction ever left its labor never resisted the impression more than mine has done to exclude it; and, as the association of ideas is sometimes odd in its operations, Louisa's difficulties in learning the English alphabet have put me for the twentieth, perhaps the thirtieth, time upon surmounting those of the Hebrew. I make my own indocility the apology for hers.

9th. Cold and cloudy day, clearing off towards evening. In the multitudinous whimseys of a disabled mind and body, the thick-coming fancies often occur to me that the events which affect my life and adventures are specially shaped to disappoint my purposes. My whole life has been a succession of disappointments. I can scarcely recollect a single instance of success to anything that I ever undertook. Yet, with fervent gratitude to God, I confess that my life has been equally marked by great and signal successes which I neither aimed at nor anticipated. Fortune, by which I understand Providence, has showered blessings upon me profusely. But they have been blessings unforeseen and unsought. "Non nobis, Domine, non nobis, sed nomini tuo da gloriam." I ought to have been taught by it three lessons: 1. Of implicit reliance upon Providence. 2. Of humility and humiliation; the thorough conviction of my own impotence to accomplish anything. 3. Of resignation; and not to set my heart upon anything which can be taken from me or denied. I can now do scarcely anything but read; and I read the remaining sheets of the autobiography of my father, which comes down only to October, 1776. I lament that he did not continue it.

14th. Mr. Alexander H. Everett had requested a conversation with me, and it was to urge me to consent to be nominated for election as Governor of the Commonwealth; which I persisted in declining. He thought they could not agree upon his brother Edward, but gave me no substantial reason for changing my determination.

20th. Harvey Field came to enquire if I would be willing to attend the Convention of Anti-Masons to assemble on the 11th of next month at Boston, to nominate a Governor and Lieutenant-Governor of the Commonwealth for the next year, or the caucus of Anti-Masons in this town to elect delegates to that Convention. I declined both, on the rule which I have prescribed to myself, of refraining from all interference in elections.

September 12th. Immediately after dinner, Pliny Merrick, Henry Gassett, and Seth Whitmarsh, a committee from the State Anti-Masonic Convention, which met yesterday at Boston, came out, and Mr. Merrick presented to me three resolutions

of the Convention, the last of which was a unanimous nomination of me to be Governor of the Commonwealth for the ensuing year. I had done everything in my power to prevent this, which is an exceedingly unwelcome movement to me, but it was placed upon grounds which left me no honorable option of declining; so I concluded on reflection. I promised the committee to have my answer transmitted to them by ten o'clock to-morrow morning, and they took their leave. I sent my answer by Charles, who returned this evening to Boston. I accept the nomination—which casts me again upon the stormy ocean of political electioneering, when I hoped and believed I was snug in the port. If there be a fatality that pursues me, there is a power above by whom it is guided.

17th. Teaching also my granddaughter to read—a trying school of patience to myself. In the evening we played a rubber of whist. A late Scottish traveller in this country, named Hamilton, who visited me at Washington, introduced by Mr. B. O. Tayloe, has published a book entitled Men and Manners in America. He announces that the standard of morality in the United States is low; that the Scot is a much more honest man than the Yankee; that there are no Jews in New England; and that from their Puritan descent the New Englanders have a double portion of intellect and only half a heart. There are certainly no Sir Archy McSarcasms or Sir Pertinax McSycophants in New England. They are all of Scottish breed, and well suited to travel in America and furnish books of men and manners for the London market.

22d. Mr. Degrand walked out of Boston and dined with us. About sunset I rode with him as far as the South Boston bridge, and there he alighted and returned home. I came back without going further into the city, and received a warning of disappointment and humility. Degrand told me of the National Republican party meeting last Friday to confirm the delegation from Boston to the Worcester Convention, to be held on the 2d of October, to nominate candidates for the offices of Governor and Lieutenant-Governor of the Commonwealth for the ensuing year, and of resolutions proposed by Eastburn, publisher of the Atlas, which were set aside.

23d. Alexander H. Everett was here this afternoon. The Masonic faction in Boston are in complete combustion at the Anti-Masonic nomination for Governor. The Atlas and Courier have published extracts from my letter to B. Cowell, with an outcry of proscription. Everett had a letter written to me asking for a development of my views disclaiming this proscriptive spirit. I told him of my letter declining the Anti-Masonic nomination of 1831, and read to him the whole of my letter to Cowell. He asked me for copies of them; but, after much reflection, I thought it best to answer his letter. I wrote the answer this evening after he was gone. The National Republicans of Boston have elected sixty-three delegates to the Worcester Convention, thirty-five of whom are Freemasons; and the National Republicans in Berkshire have nominated Henry Shaw. There may probably be half a dozen candidates, and no election by the people.

26th. I called at Mr. A. H. Everett's, and gave him a letter which I wrote to John Brazer Davis in April, 1832, instead of a copy of the parts of my letter to Benjamin Cowell which he did not publish, and which, on reflection, I declined giving, because it would seem unkindness to the Anti-Masonic party for me now to authorize its publication. Everett read to me an article which he had prepared for the Daily Advertiser, and which he had intended to have inserted as editorial, but which he said Mr. Hale declined to insert as such. He mentioned also that Mr. Webster now saw great difficulties in the confirmation of the Anti-Masonic nomination, and that it was astonishing to observe the supineness of all party action here, excepting among the Masons. He thought the Masonic power altogether unaccountable, considering in how low estimation it had been held before this controversy arose.

I told him I thought it might easily be accounted for. The power had formerly operated without being seen, but it might be traced to Isaiah Thomas, of Worcester, and through him to Benjamin Russell, many years publisher of the Boston Sentinel. They were printers, and made fortunes, Thomas a very large one, by their types. They made Freemasons of all their apprentices and journeymen. The Masonic oaths and mys-

teries give a tenfold power to the knot of association, and, by the secrecy vital to the institution, it becomes a conspiracy of exclusive privilege to the members at the expense of all the rest of the community.

28th. There is much agitation in the public mind about an order from President Jackson to withdraw the deposits of public moneys from the Bank of the United States and to place them in sundry State banks, and about a paper read by him to the members of his Cabinet on the 18th of this month, followed by the dismission of William J. Duane, and the appointment of Roger B. Taney, as Secretary of the Treasury. Upon all which I take time for reflection.

29th. After the morning service, Colonel Josiah Quincy said to me that a letter from me to Colonel John Brazer Davis had been published yesterday in the Daily Advertiser, with a statement that it had been found among his papers; that he was Davis's administrator, and had all his papers, but had never seen that letter, and did not know by whom it had been published. He had written a note to Mr. Hale to make enquiry on the subject.

I told him that it was found in a drawer of his writing-desk, sold after his decease, and was now published with my assent. It is the letter which I gave to Alexander H. Everett at his request. I told him the manner in which it was returned to me after the death of J. B. Davis, but he inconsiderately stated in publishing it that it was found among Davis's papers. Upon this statement Colonel Quincy is called, as administrator, to contest the fact, and permits himself to be used as an instrument for that honorable purpose—to make an issue upon the fact whether I wrote a letter, published with my assent, because he, the administrator of the person to whom it was written, had not seen it. So much for electioneering; so much for the union of federalism and Freemasonry.

30th. We had a rubber of whist in the evening. My health is partially recovered, and a recent blessing of Heaven sheds a last ray upon my hopes of the future, as regards the present world. They have been too sanguine and too fondly cherished. My mother had a mourning-ring, on the death of my sister Susanna, within which was engraved, "Lean not on Earth,

'twill pierce thee to the heart"—a line from Young's Night Thoughts. I read it when a child, and it left upon my mind a deep impression. Yet it has not preserved me from leaning upon earth. There is no passion more deeply seated in my bosom than the longing for posterity worthily to support my own and my father's name. I trace my ancestors in the graveyard and on the town-books to Henry Adams, one of the first settlers of the town of Braintree, at Mount Wollaston. All I know of those of my father's name until him is, that they were born, were married, and died. He was eminent; and my desire has been that his name and his possessions here should continue in his and his descendants' name. For this I have done my part; my sons must do theirs. There is now one son of the next generation, and my hopes revive. Is it a sin to implore the Father of all mercies that His blessings of wisdom and of virtue may rest upon this child,[1] upon others to succeed him, and upon all my children's children—future sons and daughters yet unborn?

October 1st. The lessons to my granddaughter try my philosophy. I read the report of the committee of the Council of the Commonwealth upon the judgment of Judge Peter Thacher, of the Municipal Court in Boston, upon an indictment against the Mayor and Aldermen of the city for a false return of the election for a member of Congress from the district on the first Monday of April last. They omitted from the return three hundred and thirty-two votes given for George Odiorne, the Anti-Masonic candidate. Some days after, they made a second return, which the Council refused to receive. The Judge decided that the Governor and Council ought to have received the second return. The Anti-Masons petitioned the Governor and Council to take the opinion of the Judges of the Supreme Court; which they refuse, because they entertain no doubt the decision of the Judge was wrong. Such is the Administration of justice when Masonry and Anti-Masonry are at issue. The Judge pronounces the Council wrong; the Council pronounce the Judge wrong; and the Anti-Masons suffer by both decisions.

[1] The present John Quincy Adams.

4th. My son Charles came out from Boston. Mr. Edward Everett had been to him to suggest to him for my consideration the expediency of my withdrawing my name as a candidate for the office of Governor of the State in favor of John Davis. To this step Everett had been urged by George Bancroft, Davis's brother-in-law, who, after the unanimous nomination stipulated for by Davis as the condition of his acceptance, came post-haste to charge Edward Everett to negotiate with me to withdraw, in favor of Davis, my name from the nomination. I had told Alexander H. Everett that if the Convention at Worcester would nominate his brother Edward, or any man whom the Anti-Masons would support, I would cheerfully withdraw my name, and Edward supposes that if I would withdraw now a part of the Anti-Masons would support Davis. I desired Charles to say to Edward Everett that I had the same disposition to do anything in my power that was honest to restore union and harmony to the National Republican party, and that I wished him to make his proposition to me in writing. Charles said he was confident Everett would not write. I desired him to say to him, in that case, that if he would come and see me I would converse with him on the subject. He will probably not do this; for, on reflection, he will be ashamed of the project he has undertaken, and will say no more about it.

5th. Alexander H. Everett was here, and gave me some account of the proceedings at the Worcester Convention of National Republicans. A nominating committee of two members from each Congressional district was appointed, excepting Shaw's district, from which there was but one member at the Convention. This committee were about five hours out, and could not make a majority for any one candidate. They finally reported the names of N. Silsbee and William B. Calhoun. A young man from Boston, named Park, moved to add the name of John Davis, and spoke slightingly of the two men whose names were returned. Mr. Grennell, who had been a member of the nominating committee, said Mr. Davis had declared that he would not accept the nomination, on account of ill health and other reasons. His name was nevertheless added. A committee was then appointed to enquire if he would accept,

and they reported that he would; and he was then nominated unanimously by acclamation. Everett said that, finding it would be impossible to carry in the Convention a nomination of me, he had intended not to attend the Convention; but that two or three days before the meeting several of the party in Boston had thought the Worcester Convention might nominate his brother Edward—that Davis himself had been in his favor, but that it was impossible to get up a nomination of him in the Convention. Alexander said he had declined being on the State committee, of which he has been two or three years the Chairman, and William Sullivan is appointed in his place. He said he had gone to Worcester in company with William Sullivan, and had found him exceedingly prejudiced against me; that he was generally much influenced by Mr. Webster, and he had told him that Webster was for confirming the nomination of the Anti-Masonic Convention; but it had no effect upon him. Sullivan has the double venom of Hartford Convention federalism and of spurious Masonry in his blood. I told Everett that Sullivan was one of Otis's compurgators in their attack upon me in 1829, and that he had been confronted with a book of his own upon morals in a debate in the Legislature, when it was proved that the Masons had bought him with his land. It was a curiosity that the Worcester Convention appointed a committee, of which Everett himself is Chairman, to write the address to the people in support of the nomination.

I said to him that I had one request to make with respect to that, which was, that he would be sparing of my name in it. He said that he had not yet begun the writing of it; that he had intended to say something respectful and complimentary of me in it.

I desired him to take no notice of me at all; the Convention had taken none, though he knew that the whole of their proceedings were impelled by the single motive of excluding me; and that any token of respect in their name to me would be too gross a mockery. They had treated me much as the Legislature of New York had treated De Witt Clinton when they turned him out from being a Canal Commissioner.

Everett said that he had acted with the National Republican

party upon public principle, but he thought he should decline a re-election to the Senate of the State. The Masonic faction was so strong it was impossible to resist them, and if he should decline he thought he should leave the State.

7th. The state of my health, I fear, is irretrievable. The summer is gone, and I have done nothing of what I had intended. My time is now absorbed—1. In the mornings, minutes of Thomson's translation of the Septuagint Bible. 2. In teaching my granddaughter to read; a task to which I devote from two to three hours of every day. 3. In the exercise of my garden and nursery, an average of two hours more. 4. My diary, one hour. 5. Correspondence, two hours. 6. Miscellaneous reading, two hours. There are twelve: seven in bed, three at and after meals, and two wasted, I know not how. This wasted time I have found by constant experience to be as indispensable as sleep. It cannot be employed in reading, nor even in thinking upon any serious subject. It must be wasted upon trifles—doing nothing. The string of the bow must be slackened, and the bow itself laid aside. Two hours a day is hardly sufficient allowance for this self-involution into a chrysalis. My son Charles came out from Boston and dined with us, and returned this evening. He had some additional anecdotes respecting the nomination of John Davis at the Worcester Convention. He says that Davis was finally prevailed upon to accept the nomination by an urgent letter from Governor Lincoln. I desired Charles to suggest to the Anti-Masonics, in the event of a failure of election of Governor by the people, when the selection of the two candidates comes to be made by the House of Representatives, to drop me altogether, so as to have their whole strength to give to two out of three candidates, instead of four.

9th. Governor Lincoln, in answer to Colonel Quincy's enquiry whether he had received in April, 1832, a letter from me recommending Colonel John Brazer Davis for the appointment of County Attorney for the county of Suffolk, informs him that he can say nothing of any communication which he has received from me, without my permission. A shuffling pretext to evade an honest answer to my question, and a specimen of

Levi Lincoln's electioneering morals, giving an insight clear enough into his character. Yet this man has been nine years a popular Governor of the Commonwealth. I wrote in the evening a short letter to Governor Lincoln, and continued writing a narrative which may lead me into troublesome controversy—a paper to be addressed to the people of the Commonwealth, and to be published at some future time. It is embracing already topics of the deepest interest and extremest delicacy. Perhaps it would be better for me to retire in silence from all public affairs forever.

10th. Mr. Bailey was here this forenoon. He wished for a minute of the principal public measures of Mr. Monroe's Administration in which I had the chief agency, and also of the leading measures of my own Administration as President of the United States. But in preparing such minutes I have an invincible repugnance to taking any part whatever. I cannot reconcile myself to writing for the promotion of my own election; not even by the refutation of the basest calumnies. In all my election contests, therefore, my character is at the mercy of every slanderer; and slander is so effective a weapon in all our elections, that the candidates for the highest offices use it without scruple against each other. It never was more atrociously used than it is at this moment against me. Mr. Bailey mentioned that the State committee of the Anti-Masons had it in contemplation, and were very desirous, of nominating John Welles as their candidate for the office of Lieutenant-Governor; which I fully approved, though very sure that he will not accept the nomination. Mr. Bailey has hopes that there will be a choice of Governor by the people, or at least that the largest vote will be for me. But I know by experience too well the power of party spirit upon the people, and the concentrated malignity of three great parties in the Commonwealth personally against me. There is no instance in the history of this State of a party nomination controlled by the votes of the people. Party triumphs over party, but the people are all enrolled in one party or another. The people can act only by the machinery of party.

11th. I was at home alone, and, after giving a lesson of read-

ing to my granddaughter, I spent the remainder of the evening in writing. As I write, my subject expands before me, till I become bewildered with it, and find myself like a mariner who should embark upon an excursion for pleasure and should sail till he lost sight of land, and should then discover that he had neither chart nor compass on board. The waters deepen as I go, and the bottom is already beyond the reach of my line.

13th. I heard my granddaughter read twice, and in the evening waded through thirty pages of Professor Dew's review of the debate on the project for slave emancipation. It is a monument of the intellectual perversion produced by the existence of slavery in a free community. To the mind of Mr. Dew, slavery is the source of all virtue in the heart of the master. His argument against the practicability of abolishing slavery by means of colonization appears to me conclusive; nor do I believe that emancipation is the object of the Colonization Society, though it may be the day-dream of some of its members. Mr. Dew's argument, that the danger of insurrection among the slaves is diminished in proportion as their relative numbers increase over those of the white masters, is an ingenious paradox, in which I have no faith.

14th. I read further in Professor Dew's review of the slavery debate in the Legislature of Virginia. This pamphlet deserves grave meditation, and has in it the seeds of much profitable instruction. Slavery is, in all probability, the wedge which will ultimately split up this Union. It is the source of all the disaffection to it in both parts of the country—a disaffection deeply pervading Mr. Dew's pamphlet.

17th. I am copying the stanzas on the astrology of the zodiac, for a revised edition of Dermot MacMorrogh. I received a letter from Lord, with one to him from Mr. Pierpont, who objects to the term "bard" as applied to Cicero. Now, that word was, of all others, the one which I could not possibly consent to strike out; and Mr. Pierpont's letter was otherwise not very encouraging to the publication of the proem. I showed it to my wife, who objected to two of the stanzas—precisely those which Lord thought the best of the whole. I immediately determined not to publish the proem now. I merely

altered one stanza, supplied that which was in the first and second edition left in blank, and wrote to Lord to direct the contractor at Cincinnati to print from the second edition with these two alterations. I feel easier after this determination. Scarcely any man in this country who has ever figured in public life has ever ventured into the field of general literature —none successfully. I have attempted it in the Letters from Silesia, in the Lectures upon Rhetoric and Oratory, in occasional fugitive pieces in verse, original and translated, and finally in this poem of Dermot MacMorrogh, which is original, and at once a work of history, imagination, and poetry. It has come to a third edition, and will now be forgotten, as will be my other writings in prose and verse. Like the rest of American poetry, it resembles the juice of American grapes—it has not, in ripening, the property of acquiring alcohol enough to keep it in preservation. I have pushed my experiment on the public temper far enough.

18th. I was employed in copying stanzas upon judicial astrology and the zodiac, till by the mail I received a letter from Governor Lincoln, of nine pages, in answer to one from me asking him whether he had received from me in April, 1832, a letter recommendatory of John B. Davis. There is a sore and wounded spirit pervading the whole letter, for which I can account only by the belief that his temper has been soured by the whispers of the same slanderer who secretly stimulated him against me two years ago. He then acknowledged to me the fact, but declined giving me the name of the informer. This man, or another like him, must have been at work with the Governor again. I thought it best to postpone replying to the parts of his letter relating to Masonry, Anti-Masonry, my consistency, and the purity of his Administration from Masonic influence, until after the issue of the pending election. Here is another friend converted into a bitter and inveterate enemy by the influence of Masonry. I replied, however, immediately to the other part of his letter, and took my reply to the post-office, enclosing it to my son Charles, to be copied at Boston. In further pursuit of this controversy I have need of the restraining genius of Socrates—advice what to suppress.

21st. I began and wrote three pages of a letter to Governor Lincoln in reply to his letter of nine pages to me. The more I reflect upon that letter, the more unfair, bitter, and rancorous it appears to me. He imputes to my Anti-Masonic publications the falling off of his supporters, and the consequent necessity to him of declining a re-election. I believe him to be mistaken. My letters have given strength to the argument of the Anti-Masonic cause, but they have roused and stimulated all the energies of all my personal adversaries against the cause espoused by me. All personal opposition to me redounds to the benefit of Masonry. This will be the only cement to keep the National Republican party together. They would now go to pieces but for the rallying-point of opposition to me. It is two years since I published the letters on the Masonic controversy, with which I began, and one since the publication of those upon the Entered Apprentice's oath. In that time the numbers of the Anti-Masonic party do not appear to have increased in the Commonwealth at all. They have apparently diminished in New York and Pennsylvania; they are wavering in Rhode Island; and, although they have achieved a signal triumph in Vermont, their power is precarious, and a more complete union between the two political parties would yet prostrate Anti-Masonry. This controversy seems destined to destroy the comforts and tranquillity of my last days, and to bring my life to close in hopeless conflict with the world.

22d. Mr. Clay came out from Boston this morning and paid me a visit, with Messrs. Lawrence, Gorham, and Appleton. Mr. Clay arrived in Boston yesterday. He is making a tour, and since he reached the Atlantic border has been received at Baltimore, Philadelphia, New York, Providence, and Boston with great demonstrations of respect. This fashion of peddling for popularity by travelling round the country gathering crowds together, hawking for public dinners, and spouting empty speeches, is growing into high fashion. It was formerly confined to the Presidents, but De Witt Clinton made some unsuccessful experiments of it. Mr. Clay has mounted that hobby often, and rides him very hard. President Jackson made an awkward figure at it last summer, having upon one of his ex-

cursions got his nose pulled, and being in his procession here "très-pressé" with a dysentery. Mr. Clay had two deputations sent to him at Boston from Providence—one, of the tough seignors, to invite him to a public dinner, and one, of the tender juveniles, to escort him into the city. He entered Boston yesterday in a procession, and was paraded round the streets in the midst of all the rain. He appears to be in good health, though he said he was not so. He said he had seen Mr. and Mrs. Rush at Philadelphia, and that they were well; that Mr. Rush had sent a copy of his book to President Jackson, and, upon his returning a civil answer, had in his reply declared his approbation of the measure of removing the public deposits from the Bank of the United States. I was surprised at this; but Mr. Clay said Mr. Biddle told him that Mr. Rush had avowed the fact to him.

Mr. Clay said there was an answer by the Directors of the bank to the President's paper read to the Cabinet. It was in the press, and would be published in a few days.

Mr. Lawrence left with me a note of invitation for my wife and me from him and Mrs. Lawrence to a party this evening at their house. I told Mr. Lawrence that we could not come. An answer declining was sent by the mail. I was drudgingly engaged the day and evening upon a reply to Governor Lincoln's strange letter.

25th. The pressure upon my time is almost more than I can bear, and the subjects discussed in my letter to Governor Lincoln spread before me till I know not where it will end. The more I write, the more of trouble I anticipate; and yet a sense of indispensable duty urges me on. I subject myself to so much toil and so much enmity, with so very little apparent fruit, that I sometimes ask myself whether I do not mistake my own motives. The best actions of my life make me nothing but enemies.

28th. J. P. Davis and Alexander Townsend came out from Boston and paid me a visit. Townsend told me that in some of the Philadelphia papers my fable of the Plague in the Forest, published in the Token of 1834, was attacked as a plagiarism from Florian, and the extracts from Florian were given, the

pretended plagiarisms; but there was no similarity, far less of identity, between the passages quoted and those pretended to be borrowed from them. I said that the charge of stealing from Florian was ridiculous; there was not a line of his in my fable, which was taken from La Fontaine's Animaux malades de la Peste—not as a plagiarism, but as La Fontaine himself had taken from Phædrus, from Æsop, and from every fabulist who had written before him. La Harpe expressly says that La Fontaine invented nothing, and it is affirmed that not one of his whole collection of fables is original. I have made free with him, as he made free with others. Davis said that the same view of it was taken by a writer who defended me in the New York Evening Post, a paper where he should not have expected it. My fable is told in my own way, borrowing from La Fontaine what I could well adapt to the English language, but varying the details at my pleasure.

30th. Charles told me that my fable of the Plague in the Forest was published in the National Intelligencer, with a remark that some persons had perceived in it a political bearing, which they were unable to understand. I thought of Swift's Key to the Lock, and of old Captain Brown's answer to me on board the frigate Alliance in 1779. Upon my asking him whether any such people as those mentioned in Gulliver's Travels existed in any part of the world, he said, yes; they were all to be found in the Isle of Man. My fable has brought the editor of the Token into trouble. The book has been annually published several years in succession, and has been regularly puffed and gone into oblivion. This year it has been furiously attacked, and as faintly and insidiously defended. The Baltimore Patriot asks if it is the Plague in the Forest that has given the fever to the Boston editors. They have not named the fable, but assailed the whole book, of which it constitutes about four pages. This is one of the imps, the hopeful progeny of the union of Freemasonry with Essex juntoism and Hartford Convention federalism.

Day. Never in my life did I experience so rapid a march of time as since my return from the excursion to the White Mountains of New Hampshire. My sons John and Charles,

with their families, have returned—John to Washington, and Charles to Boston. My wife is this day gone, and I myself am to follow her next week. My health, though drooping, has, to superficial appearance, improved. I rise generally between four and five; make my fire. Have this month read five Psalms every morning, and made minutes of them. Breakfast from eight to nine; read newspapers, write, and receive visitors till twelve or one; spend an hour or two in my garden or nursery; dine from two to three; write or read in my study till sunset; walk half an hour; meet my family at tea, and write about two hours of the evening. My correspondence is in arrears. For the last fortnight I have been busied in writing my answer of forty pages to a letter of nine from Governor Lincoln, and I have not yet finished. I had previously commenced writing an address to the people of the Commonwealth, which I have suspended, and shall probably not resume.

November 5th. I was awaked by the clock striking five; two hours later than usual. There is nothing in the state of my health which gives me so much concern as the gradual diminution of sleep in the night, which is growing upon me. I have now upon an average less than five hours in a night, and it is always disturbed, unquiet sleep—full of tossings, as the Psalmist says. The comfort of going to bed with a moral certainty of being asleep in five minutes, the refreshment and composure of awaking after seven hours of peaceful slumber, I never more shall know. The misery of rising with self-reproach may I never know!

BOSTON, 6th.—I dined at Charles's with Alexander H. Everett, who assured me that he did not write the part of the National Republican Convention Committee's address which concerned me. He said it was very much debated, and he disapproved it; but he thought it would bear a different construction from that which I applied to it. There has been a great struggle to strike off Everett from the Senatorial ticket this year, but they finally carried him in the Ward Committee Convention by a majority of two votes. Judge Hall came in after dinner, and again in the evening. He told me that Governor Lincoln had consulted him about his foolish letter to me, aad he had told him he

thought he was wrong; but he seemed delighted with the thought that he could charge an equivocation upon me. Charles urged me to omit a part of the letter which I have written to Lincoln; which I readily promised to do.

PROVIDENCE, 7th.—We came to Providence without stopping to breakfast, and embarked in the steamboat Boston, Captain William Comstock, at noon. We stopped to drop and take in passengers at Newport at half-past two. At four, we turned the cape of Point Judith, and about eight in the evening entered Long Island Sound. There were not more than forty passengers, and not one of them was known to me excepting our own company. A young man named Buck, who sat by me at dinner, said he believed I had the pleasure of being acquainted with his father, who resides at Philadelphia; but he was mistaken. Another, named Potter, belonging to Cranston, Rhode Island, showed me a letter from Nehemiah R. Knight, the Rhode Island United States Senator, to Dr. Craig, of the Patent Office at Washington. He is going there upon some business relating to a patent. We had a smooth time through the day, though with a southwest breeze, freshening till dark, ahead—not uncomfortably cold. Our ladies were almost seasick. I had no book, and felt no disposition to read. Verses were accordingly running in my head, and I penned four stanzas upon Truth. The first three, shaken out by the motion of the stage, were completed without much difficulty. I wrote them down after dinner in the boat. The fourth came very hard, and I stuck fast in the middle of the fifth. This occupation in stage and steamboat passes time. Winding round the Blue Hills, through Dedham and Walpole, always opens my poetical vein. It flowed, however, this day very scantily.

NEW YORK, 8th.—Blessed, ever blessed be the name of God, that I am alive and have escaped unhurt from the most dreadful catastrophe that ever my eyes beheld! We arrived at New York at half-past six this morning. I took leave of Mr. Harrod, his daughter, my niece Elizabeth, took a hack with Mr. Potter, and crossed from the East to the North River, put my baggage into the steamboat Independence, Captain Douglas, and walked to the City Hotel. I found that my wife and family proceeded

thence last Monday on their way to Washington. There was a card of invitation to attend a public dinner to be given to Commodore Chauncey to-morrow; to which I wrote a declining answer. I then returned to the steamboat, which left the wharf at eight, and landed the passengers at Amboy about twenty minutes past ten. The boat was crowded almost to suffocation, and people of every land and language seemed congregated in it—among the rest, a whole tribe of wild Irish, whose language I now for the first time heard spoken. The only persons of the passengers whom I knew were David B. Ogden, of New York, and Dr. McDowell, whom Dr. Condict introduced to me last winter at Washington, and who was then a Professor at Princeton College, but has since left it and has removed to Philadelphia. There were upwards of two hundred passengers in the railroad cars. There were two locomotive-engines, A and B, each drawing an accommodation car, a sort of moving stage, in a square, with open railing, a platform, and a row of benches holding forty or fifty persons; then four or five cars in the form of large stage-coaches, each in three compartments, with doors of entrance on both sides, and two opposite benches, on each of which sat four passengers. Each train was closed with a high, quadrangular, open-railed baggage-wagon, in which the baggage of all the passengers in the train was heaped up, the whole covered with an oil-cloth. I was in car B, No. 1, and of course in the second train. Of the first ten miles, two were run in four minutes, marked by a watch of a Mr. De Yong, in the same car and division with me. They stopped, oiled the wheels, and proceeded. We had gone about five miles further, and had traversed one mile in one minute and thirty-six seconds, when the front left wheel of the car in which I was, having taken fire and burned for several minutes, slipped off the rail. The pressure on the right side of the car, then meeting resistance, raised it with both wheels from the rail, and it was oversetting on the left side, but the same pressure on the car immediately behind raised its left side from the rail till it actually overset to the right, and, in oversetting, brought back the car in which I was, to stand on the four wheels, and saved from injury all the passengers in it. The train was stopped, I suppose within five

seconds of the time when our wheel slipped off the rail, but it was then going at the rate of sixty feet in a second, and was dragged nearly two hundred feet before it could stop. Of sixteen persons in two of the three compartments of the car that overset, one only escaped unhurt—a Dr. Cuyler. One side of the car was stove in, and almost demolished. One man, John C. Stedman, of Raleigh, North Carolina, was so dreadfully mangled that he died within ten minutes; another, named, I believe, Welles, of Pennsylvania, can probably not survive the day. Captain Vanderbilt had his leg broken, as had Mr. West, minister of the Episcopal Church at Newport, Rhode Island; Mrs. Bartlett, wife of Lieutenant Bartlett, of the U. S. Corps of Engineers, and her sister, dangerously hurt; her child, about three years old, is not expected to live; Mr. and Mrs. Charless, of St. Louis, Missouri, severely cut and bruised; a Mr. Dreyfuss, of Philadelphia, cut in the head and sprained in the back; and six other persons, among whom are Dr. McDowell and a young lady with him, gashed in the head and otherwise wounded. The scene of sufferance was excruciating. Men, women, and a child scattered along the road, bleeding, mangled, groaning, writhing in torture, and dying, was a trial of feeling to which I had never before been called; and when the thought came over me that a few yards more of pressure on the car in which I was would have laid me a prostrate corpse like him who was before my eyes, or a cripple for life; and, more insupportable still, what if my wife and grandchild had been in the car behind me! Merciful God! how can the infirmity of my nature express or feel the gratitude that should swell in my bosom that this torture, a thousand-fold worse than death, has been spared me? At my request, a coroner's inquest was called upon the deceased. The other dying man was left at Hightstown, three miles beyond where the disaster happened; and, after a detention of nearly three hours, the train was resumed, and, leaving the two broken cars behind, the rest proceeded to Bordentown, thirty-five miles from Amboy. The coroner's inquest, held by a magistrate of the county, had been sworn, and I had given my testimony before we left the fatal spot. Several of the wounded were left at Hightstown. The rest were transported

on cushions from the cars over the railway to Bordentown, and thence with us, in the steamboat New Philadelphia, to Philadelphia. On reaching the wharf, the Rev. Mr. Brackenridge came on board, and told me he had heard I had been seriously injured by the accident on the railway. Apprehensive that such rumors might circulate and reach my family, I wrote on board the steamboat to my wife, at Washington, and to my son Charles, at Boston, and dispatched the letters to the post-office at Philadelphia. We landed at Chestnut Street wharf between six and seven in the evening, and I took lodgings with Mr. Potter, at the United States Hotel. I resolved to proceed on my journey to-morrow morning, but called and spent an hour of the evening at Mr. John Sergeant's.

10th. I had an indifferent night's rest, but rose at five, and, having two hours of leisure before daylight, employed them partly in writing and partly in reading Gulian C. Verplanck's discourse upon the Right Moral Influence and Use of Liberal Studies, delivered after the annual Commencement of Geneva College, the 7th of last August, at the request of the Alpha Phi Delta and Euglossian Societies of that College. Mr. Verplanck sent me a copy of the discourse, with which I am much pleased. It is a picture of the author's mind, pure and honest, and originally ardent, but subdued by time and disappointments into tameness. There is a gentleness in his character now, unsuited to the tug of political controversy in these times. Originally an ardent and stubborn federalist, at the final downfall of that party after the last war with Great Britain he was one of about forty who formally renounced it and joined the Republican party, the vicissitudes of which he has since followed. In the State of New York he suffered himself to be drawn by successive compliances into the opposition against me, his early friend and the friend of his father. This brought him into Congress, where he has been eight years. But his principle of yielding to the dictates of party spirit was so severely tried that he at last was brought to a pause. He would not go into their extreme measures, and they instantly dropped him from Congress, while they adhered to that utterly unprincipled fellow Cambreleng as to a wall of

adamant. The characters of those two men form a contrast of moral and political speculation.

WASHINGTON, 11th.—In the evening I had a visit from General Macomb, one of the few men in this world who have uniformly shown me that he forgets not a benefit conferred. I received this morning a printed address to the people of Rhode Island by Dutee J. Pearce—an attempted answer to the charges against him in the Herald of the Times, which I had received last week, the day before I left Quincy; but it is a poor and shallow defence, and leaves his character irretrievable. Among the deepest mortifications that I have been destined through life to endure has been the frequent disappointment of friendship—sometimes by the treachery, and sometimes by the unworthiness, of those in whom I had confided. Pearce has wilfully degraded himself by basely cringing to the vilest of President Jackson's jackals. This is the day of the election in Massachusetts.

15th. The New York American, this day received, gives the votes in Boston last Monday for Governor, and the other State elections. John Davis received for Governor 2742; Marcus Morton, 1233; J. Q. Adams, 1183; and S. C. Allen, 579. Davis, therefore, the National Republican candidate, has a majority against him even in the city of Boston. The small detachment of the working-men's party has effected this. The proportion of National Republican, Jackson, and Anti-Masonic votes remains very nearly the same as last year. As I was walking out shortly before dinner, I met Mr. Bayard, of Philadelphia, with a note from H. D. Gilpin, and a large octavo volume, being a copy of Edward Livingston's System of Penal Law, compiled for the State of Louisiana, recently reprinted—a copy which, Mr. Gilpin states, he has been requested by Mr. Livingston to present to me. This afternoon I rode in the barouche to the Penitentiary Point, and returned the visit of Commodore Rodgers. He has been harassed with an insidious investigation into the transactions of the Board of Navy Commissioners and committed irregularly to John P. Van Ness and Amos Kendall; at which he is much exasperated.

16th. I received this morning the Boston Independent

Chronicle of Wednesday last, containing the returns of votes from ninety-four towns, from which it is reduced to a moral certainty that there will be no choice of Governor by the people of Massachusetts for the ensuing year. It is also nearly certain that my name will stand second or third upon the list of candidates for selection by the House of Representatives of the two to be presented to the Senate, and from whom the Senate will have to choose the Governor. There will be numerous vacancies to fill up in the Senate; and of the complexion of the House it is as yet impossible for me to judge. I shall have in this emergency a part to perform of great delicacy, requiring much deliberation, much discretion, a steady, undeviating regard for the public good, and pure, dispassionate, patriotic principle. May the consciousness of rectitude sustain me in it, and carry me through it! Dr. Huntt said the Columbian Institute now wished me to deliver their annual address, referring to a conditional promise I had heretofore given that I would at some future day perform this task; but I informed him that it was quite impracticable now. I spent part of the evening at General Macomb's. He asked me if I continued to play chess; but I have taken an aversion to that game, because I could never learn to play it well.

17th. Heard Mr. Edward Smith this morning at the Second Presbyterian Church, from Ephesians ii. 22: "In whom ye also are builded together for an habitation of God through the Spirit." Upon this figure of speech, in which the members of a Christian church are represented as constituting a temple for the habitation of God, Mr. Smith descanted with some ingenuity, though without much eloquence. Like most Presbyterian divines, he has a partiality for the writings of Saint Paul, and takes almost all his texts from them. He noticed that this epistle was addressed exclusively to the Gentile converts at Ephesus, though he proved from the Acts, ch. xix., that there was at Ephesus a synagogue of Jews, to whom Paul preached for the space of two years. One of the hymns which Mr. Smith gave out this morning to be sung was the sixty-fourth of the Second Book, entitled "God, the glory and defence of Sion." The following are two lines of that hymn:

"Then let our souls in Sion dwell,
Nor fear the wrath of Rome and hell."

And it was written by Isaac Watts, and it is not to be doubted that he believed this coupling of Rome and hell was genuine piety and Christian charity. Mr. Smith had the good sense to direct the omission of this verse; but there it is in the book, forming a part of Christian worship. Rome had doomed Watts to hell with equal sincerity. So it is with brethren of the same faith. I once heard Mr. Cheverus, but it was before he was an archbishop, or even a bishop, preach in Boston. He related the story told of some heathen man, who, in the early age of Christianity, witnessed the devotions and harmony of some Christian church, and exclaimed, "Behold how these Christians love one another!" "But," said Father Cheverus, "if he could come and witness now the sentiments of Christians, reciprocated between them, he would be much more ready to cry out, Behold how these Christians *hate* one another!" Cheverus himself is an exception.

18th. I began this morning an address to the people of the Commonwealth of Massachusetts, different altogether from that of which I had written two or three sheets before I left Quincy. I received a letter from R. Rush, which gives me the deepest concern. He has involved himself in the whole controversy relating to the bank without apparent necessity—on the wrong side, and by means which it is difficult to justify. He complains of bitter persecution from the Bank of the United States and its friends. I fear his good genius has deserted him. Mr. Clay told me that he had sent a copy of the second edition of his Residence in England to President Jackson, who answered him by a letter of thanks, to which he replied, and in his reply took occasion to declare his approbation of the President's order removing the deposits in the Treasury from the Bank of the United States. This he does not say in his letter to me; but he avows his opinion against the bank, and complains of being persecuted for it; and he informs me that he has sent an exposition of his opinions to be published in the Globe. There is at this time a breaking up of parties, which strangely tries the temper and the principles of men.

19th. I had a succession of visits, from Edward Wyer, Judge Cranch, the Chargé d'Affaires from Don Miguel of Portugal, Mr. Joseph Russell, and Mr. Christopher Hughes. Wyer told me that Louis McLane, now Secretary of State, who has been some days absent, has returned to the city. He repeated a wish that I would see Mr. McLane, who, he said, was conscious that he had been wrong in taking part last winter against the Bank of the United States, and was now desirous of repairing that wrong. I told Wyer that I had nothing against McLane, and should be very willing to see him. But I said no more. McLane is in a perilous condition, and I have no confidence in his steadiness, his firmness, or his political integrity. Whoever trusts in him will be betrayed. Wyer spoke to me of a ferocious article in the Globe this day, and he afterwards sent it to me. It is editorial, but evidently comes direct from the President. It exhibits a violence of passion, foreboding extremities quite unexpected, but the anticipation of which is alarming.

Judge Cranch has been holding Court at Alexandria, and said he expected a troublesome session here.

I had no opportunity to converse with Mr. Torlade upon the condition of affairs in his country, where a civil war is raging for the right to the crown. He is the representative of Don Miguel, recognized here as King de facto, but really a usurper, and likely to be overthrown. There is a decree of Don Pedro, the Regent, in the name of his daughter, in whose favor he abdicated, Donna Maria de Gloria, against Mr. Torlade, which I have seen in the newspapers lately. Torlade appears to be a worthy and intelligent man, placed in a difficult and embarrassing situation.

21st. Mr. Huntington, a member of the House of Representatives from Connecticut, came and spent an hour with me this evening. He came in from Philadelphia yesterday, and we had some conversation upon the prospects of the approaching session of Congress. There is no doubt that Andrew Stevenson will again be chosen Speaker; and if he appoints the committee upon the affairs of the bank, they will report a resolution approving the removal of the deposits. Mr. Huntington thinks

it would be advisable to move for the appointment of a committee by ballot; but that motion would certainly not succeed. I have, indeed, no belief that any proposition in favor of the bank will succeed. Mr. Huntington saw Mr. Biddle, the President of the bank, at Philadelphia, who assured him that the bank was fully prepared to meet and stand firm in the impending crisis. I wish it may.

22d. I had another visit from E. Wyer, with enquiries respecting the opinions of the heads of Departments, given in writing to President Washington, upon the constitutionality of the first Bank of the United States, and how, and when, they were first published. Wyer asked me whether I was for or against the bank, and said he had a wager pending upon it, with a man who had *betted* with him that I should be against the bank. I asked him who it was, and it came out reluctantly that it was Reuben M. Whitney. I told him that I was at present neither for nor against the bank; that as a member of Congress I should be called to act upon the measure of removing the deposits, and should wait for the evidence that would be submitted to that body before I made up my mind on either side of that question.

He said Whitney's reason for assuming that I should be against the bank was, that the Anti-Masons were so.

This opinion has got into extensive circulation by the strange conduct of Mr. Rush, which will go far to demolish Anti-Masonry in Pennsylvania, and everywhere else. I walked to the Capitol, where I met, in the House, Dr. Thomas H. Hall and Jesse B. Speight, members elect of the House from North Carolina. In going up, I met Mr. Huntington, who urged me again to change my seat, but I declined; and in returning, I met and walked with C. Hughes, whose visit I had just returned. He gave me some anecdotes of politics as they are now prevailing in England, especially among the Tories, or Conservatives, which were amusing.

23d. I answered this morning a letter from Richard Rush, which I have had three or four days upon hand; and it was a painful operation. I fear he is irretrievably lost, and that his passion to go again to England, which has haunted him ever

since his return from that country, has at last turned his head. In his desperate plunge to obtain it, he has thrust himself, uncalled for, rashly upon the controversy respecting the withdrawal of the public deposits from the Bank of the United States; and the manner in which he has intruded upon the dispute is as exceptionable as the mode in which he is conducting it. If I am to believe his letter to me, he has done this without one forethought of the storm which it would bring down upon his head; and he complains of the persecution of him by the bank and its friends, as if he had given no provocation to any mortal man. His wild, unjust, and foolish onset upon the bank will go far to demolish Anti-Masonry in Pennsylvania. It will destroy every particle of his influence upon that question, which has been great, and will turn all his arguments in favor of that cause into sophisms against it. There is danger that his reputation with the Anti-Masons will mislead many of them into a support of his present blunders and sink their cause in the struggle to keep him afloat. I have found it exceedingly difficult to give him my sentiments upon his conduct without unnecessarily wounding his feelings, which are sensitive to an extreme. But I had no middle course to pursue, and I have given him my opinions upon his vagaries with as much delicacy as possible, but with a certainty of losing his friendship forever. His reply will, I have no doubt, be frantic. "Lean not on Earth, 'twill pierce thee to the heart"—this was the motto of a mourning-ring of my dear mother's when she lost her daughter Susanna. Oh, how often, in the course of my life, have I been reminded of it! And friendship! what friendship have I ever formed but it has been disgraced by misconduct or betrayed by sordid interests! There are exceptions—rare indeed. Within the last four months I have lost four friends upon whom I did place some reliance—two by misconduct, two by treachery. May I at least die without ever losing one by misconduct or treachery of my own!

26th. This evening I was with a lamp in my hand reading a prosy article in the Telegraph, when it lulled me to a doze, and my lamp set fire to the newspaper, which it took some expense of breath to extinguish. I made several efforts to write, but

was obliged to give it up. I had a morning visit from Dr. Sewall, and before dinner walked to the Capitol. There I met Chilton Allen, of Kentucky, and Mr. Foster, of Georgia, and Mr. Potts, of Pennsylvania. On coming out, I met in the Avenue Heman Allen, of Vermont, and afterwards Colonel David Crockett, of Tennessee. I did not recognize him till he came up and accosted me and named himself. I congratulated him upon his return here, and he said, yes, it had cost him two years to convince the people of his district that he was the fittest man to represent them; that he had just been to Mr. Gales and requested him to announce his arrival and inform the public that he had taken for lodgings two rooms on the first floor of a boarding-house, where he expected to pass the winter and to have for a fellow-lodger Major Jack Downing, the only person in whom he had any confidence for information of what the Government was doing. This Major Jack Downing is the fictitious signature of a writer in some of the newspapers, assuming the character of a shrewd, trickish, half-educated Yankee major of militia; writes letters from the President's house as entirely in his confidence, and telling all the petty intrigues of the Cabinet and favorites by whom he is surrounded.

After dinner Mr. Edward Everett called, and we had some conversation upon the state of politics in Massachusetts. I found he was anxious to convince me that if the House of Representatives should elect Morton and me as the two candidates from whom the Senate are to choose a Governor, the Senate would choose Morton.

I told him I supposed they would, and should be much obliged to them if they should. I saw his object was to prevail upon me to decline in favor of Davis; but I was not disposed to let him know what my intentions are. He and his brother Alexander are both reeds shaken with the wind.

27th. Messrs. Slade, Dickson, and Foster paid me morning visits; Judge Thruston and his son in the evening. Slade and Dickson are Anti-Masons, Foster a Georgia Nullifier, all in opposition to the present Administration. All agree that Stevenson will be the Speaker, but all believe that he will in the

course of the session be appointed Minister to England, to be succeeded as Speaker by Sutherland, of Pennsylvania, Wayne, of Georgia, or Speight, of North Carolina. Foster says that Wayne is totally and unreservedly devoted to the present Administration.

Judge Thruston had much to say upon a decision of Judge Brockenbrough, a State Judge in Virginia, nullifying an attachment issued by the Circuit Court of the District of Columbia against John H. Pleasants, co-editor of the Richmond Whig, for contempt of Court in disobeying a summons to testify upon a charge of conspiracy to pull the nose of President Jackson. The Courts, between sycophancy and nullification, are playing at cross-purposes. The Circuit Court of the district was willing enough to inflate and inflame ex-Lieutenant Randolph's tweak of Jackson's nose into *conspiracy;* but the Virginia Judge prefers prostrating the jurisdiction of the District Circuit Court even to redeeming the honor of Jackson's nose by a conspiracy. Jackson, ex-Lieutenant Randolph, and John H. Pleasants are a trio of ruffians and escrocs, all equally base, and fitted for nothing better than pulling each other's noses. This is the plain truth; but Brockenbrough's decision, founded upon a technical quibble, is quite a triumph to the State Rights and nullification party.

29th. I received a letter from Richard Rush, still friendly in terms, but it closes all confidential correspondence between him and me forever. I can never repose confidence in him again. One of the inevitable consequences of his defection will be the ruin of the Anti-Masonic cause in Pennsylvania; and it will go far to demolish it throughout the Union. There is a moral obliquity in his present course which proves that his principles sit light upon him, and that he cannot stand fire in a minority long. But he had much personal provocation from the bank party, who defeated his election to the Senate of the United States by the Legislature of Pennsylvania last winter, and he takes his revenge.

I paid a visit to Mr. Edward Everett, at Fuller's, and found Mr. and Mrs. Benjamin Gorham there. They had arrived this morning, and left Boston last Monday morning. The supple-

mentary election for members of the House of Representatives of the State was held on that day. We have the newspapers of the next morning, when it was not ascertained whether any of the candidates were elected except one. The Boston Press says there were ten different tickets voted for, and there was such a mixture of names and such a breaking up of parties that the Mayor and Aldermen had not time to count and sort the votes before the next morning. But there was a partial combination against the Anti-Masons of all the other political parties.

30th. I had visits from Dr. Huntt and Colonel Watmough, who told me that the Secretary of the Treasury had withdrawn the third draft for five hundred thousand dollars, which he had furnished to the banks where the public moneys are deposited, upon the Bank of the United States. Two of them were presented and paid. The object in giving these drafts was to embarrass and distress the Bank of the United States, but in the operation the pressure fell entirely upon the State banks. He also told me that the President of the bank, Mr. Biddle, was perfectly satisfied with the condition of the bank and its ability to meet and surmount any pressure that the Government of the United States could bring to bear against it; that their answer to the President's denunciation was ready, and would be complete; that it would totally demolish the statement of the Government Directors, and triumphantly refute their charges. He said he had been endeavoring to ascertain what the course of the Administration here would be on this Bank question—though without success; that one person had told him Van Buren, the Vice-President, had said that Taney's exposition of the reasons for removing the deposits was the greatest State paper that had been produced since the existence of the Federal Government. If Van Buren has said so, it might have been because he wrote it, or a great part of it, himself. Watmough said Lewis Williams was for impeaching the President at once. I said I thought we should assume an attitude strictly defensive, avoid all attack upon the President, and attempt nothing beyond a resolution that the reasons assigned by the Secretary of the Treasury for removing the deposits are not satisfactory to the House. This is more than will be carried.

December 2d. At eleven this morning I walked to the Capitol, and took my seat, No. 26, as a member of the House of Representatives. At precisely twelve o'clock the Clerk of the House of the last Congress called the members to order, and the names of the members were called over by States. Two hundred and thirty-one members answered to the call; but when he came to the State of Kentucky, Chilton Allen, a member from the State, rose, and remarked that there were two members claiming the seat for the fifth District of that State. Some enquiry arose who was entered on the Clerk's roll as the member, and the Clerk said it was Thomas P. Moore.

There was a discussion of more than an hour, in which Wayne moved that Mr. Archer, of Virginia, should take the chair; but finally the Clerk was allowed to act as Chairman. Mr. Letcher finally proposed that both he and Moore should withdraw, and, without voting for Speaker, let the other members be sworn and the Speaker chosen, and bring on the question who was to represent the district before the House after it should be organized. The rest of the roll was then called, and the ballots taken, when Andrew Stevenson, of Virginia, had one hundred and forty-two votes of two hundred and eighteen, and was elected. There were thirteen who did not vote, ten blanks, thirty-nine for Lewis Williams, fifteen for Edward Everett, and twelve scattering votes. Mr. Stevenson was conducted to the chair by Lewis Williams, and made a short, frothy speech of acknowledgment, concluding with a flourish of tautology about making the Union imperishable and immortal; upon which there was a wise clapping of hands. He was then sworn by Lewis Williams, and administered the oath to support the Constitution of the United States to all the members present.

The House then proceeded to ballot for a Clerk. Joel K. Mann, of Pennsylvania, nominated Walter S. Franklin; and Henry King, also of Pennsylvania, nominated Matthew St. Clair Clarke. At the first ballot two hundred and thirty-one votes were taken—every member present; Clarke had one hundred and thirteen votes, and Franklin one hundred and seven; but at the third, Franklin had one hundred and seventeen, and Clarke one hundred and ten. Franklin was elected. A message

was received from the Senate announcing that they had formed a quorum and chosen a committee on their part, to join one on the part of the House, to wait on the President of the United States and inform him that a quorum of both Houses were assembled and ready to receive from him any communication that he may be pleased to make; but the House did not act upon it. They adjourned at about four o'clock. I found my carriage at the head of the Avenue, and rode home. I found myself much exhausted, and more mortified at the failure of Clarke's re-election. There never was a better Clerk, and his dismissal is an act of heartless cruelty. It is also a dark foreboding of what is to follow through the session. Towards the close of the evening I was able to write, and finished my address to the people of Massachusetts.

3d. At the House, Mr. Ward, of New York, offered a joint resolution to wait on the President to notify him of the meeting of Congress. But the resolution of the Senate to that effect was taken up and concurred in. Ward, who wanted to figure as a member of the committee to go to the President, forgot the preliminary order for a message to the Senate and one to the President, announcing the organization of the House and the election of Andrew Stevenson as Speaker. I was obliged to move these orders myself; and only one of them, that of the message to the Senate, was adopted. These are formalities of order falling into neglect. The practice has even ceased of the members producing their credentials at the Clerk's table. I delivered mine yesterday, but asked to have them returned to me this day; and they were promised me.

Mr. Ward reported from the committee to wait upon the President that he would make a communication to Congress at one o'clock, and at that hour the message came. Its most peculiar characteristic is a bitter invective upon the Bank of the United States. Not a word about Alabama. It was laid on the table, and ten thousand copies of it ordered to be printed.

A motion was made by Sutherland, of Pennsylvania, that the rules and orders of the last House of Representatives should be adopted for the present House until further order. Hubbard, of New Hampshire, moved an exception of two rules

—those prescribing the appointment of the standing committees and the numbers of which they are to consist. Instead of seven members he would have nine, and instead of three, five. Polk, of Tennessee, moved as an addition to the rules that the members should wear their hats no longer in the House, unless by permission. Patton, of Virginia, proposed another change, and that the Speaker should be required to vote in all cases. Sutherland, who sits at the extremity of the House, near the door, said he would vote for Polk's motion, not to allow the wearing of hats, if Polk, who has a warm seat in the centre of the House, would exchange seats with him. Burges, of Rhode Island, said it would be well for the House to think not only of the hats, but of what was under them. The old rules were adopted, with the exceptions, the consideration of which was postponed till to-morrow. Adjourned soon after two. Franklin, the new Clerk, on reading the message, read for Central America, Control America.

4th. At the House, immediately after the reading of the journal, Mr. Allen, of Kentucky, brought up the case of the contested election between T. P. Moore and Robert P. Letcher. The question was upon Moore's being sworn and taking the seat. There were speeches from Chilton Allen and Marshall against it, and from Polk, of Tennessee, and Lane (a new member), from Indiana, for Moore, and Ellsworth and Burges against him.

Wilde, of Georgia, said to me that it reminded him of a letter from Horace Walpole to Mr. Mann at the commencement of a session of Parliament, in the postscript to which he says, "There are several cases of contested elections. The Ministry, as usual, return their friends."

It will certainly be so now. The reading of the papers was called for, and debated till near three o'clock, when the House got tired, and a motion to adjourn was made. It was suspended to present to the House several reports from the Secretary of the Treasury, among which was a very long one upon the removal of the deposits from the Bank of the United States.

5th. I wrote this morning a letter to Dr. Zaccheus Bartlett, at Plymouth, and a short one to Governor Lincoln, of Massa-

chusetts, instead of that one in forty pages which I had written in reply to his strange letter of the 14th of October. I have in this, as in many other cases, wasted much time and labor to no purpose. Governor Lincoln is a man always meaning well, and possessing considerable talent. But, elevated a little above his sphere, and having been for nine successive years elected Governor of the State, the frequent resort to popular suffrage, and the gradual decline of popular favor after possessing it very highly, have made him timid, sensitive, and punctilious. His besetting sin is pride, and whatever mortifies that throws him off his guard; his temper masters his judgment, and he stumbles. This has happened to him on various occasions. The Masonic controversy has driven him from his office. Two years ago, the Anti-Masonic Convention, being about to nominate a candidate for Governor, wrote him a letter asking his opinions upon the subject of Masonry. He took fire at being questioned, and answered them very satisfactorily as to Masonry, but in a tone at which they took offence. They nominated me, and I declined. They nominated Samuel Lathrop, and by raising an opposition to Lincoln reduced his majority to four or five thousand in 1831, and to two or three thousand in 1832. He saw the probability of losing his majority this year, and declined a re-election. It was a compulsive measure, and has left him excessively sore. He imputes his loss of public favor to me, and indulges his resentments. It was his influence that prevailed upon Davis to accept the nomination. This was the death-blow to the National Republican party, which is now languishing and will die under it. His letter of the 14th to me was written in a state of excitement, alarm, and jealousy, and he exposed himself in it to exemplary chastisement. More of it than can be necessary would be inflicted by my letter of forty pages, and I have now made less than two answer the purpose.

At the House, there was a debate of three hours upon two resolutions offered by B. Hardin, of Kentucky, that the certificate presented by Thomas P. Moore was not sufficient to entitle him to be sworn as a member of the House, and that it should, together with all the other evidence collected by him and by

R. P. Letcher, his competitor, be referred to the Committee of Elections, when chosen.

Hewes, of Kentucky, Hubbard, of New Hampshire, Beardsley, of New York, and Polk, of Tennessee, all stoutly maintained that Moore's certificate was sufficient to entitle him to be sworn. Chilton Allen and Hardin, of Kentucky, and Ellsworth and Huntington, of Connecticut, spoke against it without effect. At last, Archer, of Virginia, bolted from the party, and very truly said that Moore's certificate was on its face evidence that he had not been elected, and that it was not only incomplete, but self-contradictory. He was followed by Seaborn Jones, of Georgia, on the same side. Upon which it was announced that Mr. Moore and Mr. Letcher had agreed that neither of them should be sworn till the Committee of Elections shall have examined and reported on the evidence.

Archer protested against any agreement between the parties, but the reference to the committee was carried. The first resolution was withdrawn upon Moore's withdrawing his claim to be sworn. A resolution was then passed for the appointment of the standing committees, increased in numbers to nine and five.

6th. A number of visitors engaged almost the whole morning. I had various conversation with them all. Mr. Bell intimated to me that the Senate would probably be managed by the understanding between Mr. Clay and Mr. Calhoun, and that there would be a majority of that body against the Administration—at least not concurring in any mischievous measures of the President.

Mr. Pearce, of Rhode Island, who took his seat in the House yesterday, told me the occasion of his writing to Amos Kendall against Cranston, the late Postmaster at Newport. Pearce said he had by his exertions kept this man in office four years under this Administration, and that last summer Cranston, with the remnants of the old federal party, and the National and Jackson Masons, got up a Jackson man in opposition to him, and prevented his election; that afterwards he (Pearce), having occasion to write to Amos Kendall upon business concerning his (Pearce's) son, had said to him that he had always supported Cranston, but should support him no longer. He added

that Updike, his competitor, had come out in favor of the bank, and that he himself had come out in favor of the President's reasons for removing the deposits from the United States Bank. "That is," said Mr. Pearce, "on the ground that the charter is not to be renewed." This letter Kendall showed to Mallett, a friend of Cranston's, and Mallett reported its contents, not correctly, to Cranston, which produced the attack by Cranston in newspapers and handbills upon Pearce; and they set up Dixon, a bluelight federalist, against him.

Now, the whole of this story has an awkward aspect for Pearce. I did fully believe that it would not only defeat his election, but ruin forever his character. The means used against him were no doubt profligate and base, and no doubt originated in the Masonic lodges. The Masonic Nationals supported a Jackson man against him, and he, in his desperation, turned the tables upon them. But he was obliged to give his principles to the winds, and his mode of taking revenge on Cranston, by secret denunciation to Amos Kendall, is moral and political asafœtida. It is a melancholy contemplation of human nature to think that if Pearce had used none but honest means in his defence he would in all probability have sunk under the combination against him. What an illustration of a Government by a kitchen Cabinet! To turn out Cranston from the post-office, Pearce addresses himself, not to Barry, the Postmaster-General, but to Amos Kendall, an Auditor of the Treasury. Amos turns out the Postmaster, and then betrays Pearce, his informant. How many dishonest men, says Montesquieu, to one transaction!

Mr. Clay was not in very good humor, and entertained me with the extraordinary sterility that he had found throughout the whole of his recent tour in Massachusetts, excepting in the valley of Connecticut River; and the leanness of the cattle he had seen at Brighton—though he had met with good cattle of the Durham breed, and eaten good beef, in the State.

7th. I received this morning from Governor Lincoln, of Massachusetts, a copy of Professor Hitchcock's Report on the Geology, Mineralogy, Botany, and Zoology of that State, with a pamphlet of lithographic prints. This is a second act of

courtesy from him, showing a very different temper from that in which he wrote his letter of the 14th of October. It is my duty to treat his present conciliatory dispositions with a like return.

I had visits from six of the Anti-Masonic members of the House of Representatives from the State of New York, four of whom are new members and were strangers to me. Mr. Martindale was a member of former Congresses, but not of the last. One of these members said that, of their colleagues, Abijah Mann, Jr., would probably aspire to take the lead on the Administration side. Another said he thought Beardsley would contest it with him. Martindale spoke with much regret of R. Rush's publication against the U. S. Bank, and especially that it had been republished with high commendation in the Boston Daily Advocate. The report of the Secretary of the Treasury, Roger B. Taney, upon the removal of the deposits from the Bank of the United States; the exposition of W. J. Duane, the ex-Secretary of the Treasury, turned out of the office for refusing to remove them; and the defence of the President and Directors of the bank, by themselves, against the President's manifesto, have all come out together, and the reading of them occupied much of the day. I could not get through them all; though all must be read with attention and coolly considered.

9th. At the House, the appointment of the committees was announced. The Committee on Manufactures are J. Q. Adams, Jabez W. Huntington, of Connecticut, Denny, of Pennsylvania, Warren R. Davis, of South Carolina, Thomas Corwin, of Ohio, Philemon Dickerson, of New Jersey, H. C. Martindale, of New York, William McComas, of Virginia, and Gayton P. Osgood, of Massachusetts—a much better committee than he gave me at either of the sessions of the last Congress, because there will be nothing of importance for that committee to do the present session.

Mr. Patton's motion was taken up, for altering the ninth rule so as to require the Speaker always to vote. Patton made a flat speech, and was followed by Sutherland on the same side. The question seemed to be going without opposition, but Wilde, of Georgia, called for the yeas and nays, and Wayne,

after a few observations against the change, moved a postponement of the question till next Monday; which was carried. Then the House balloted twice for a Chaplain, and at the second ballot the Rev. H. C. Stockton was chosen.

Several of the members were introduced to me, among whom was Mr. William Baylies, representing the Eleventh District of Massachusetts, by John Reed. The House adjourned about two o'clock. Received a card from Baron Krudener. Answered a letter from Moses Crown, of Providence, a Quaker, in the ninety-sixth year of his age. It is upon the petitions for abolishing slavery in the District of Columbia.

10th. I had visits from four members of the Pennsylvania delegation, three of them Anti-Masons. G. McDuffie moved in the House that the report of the Secretary of the Treasury upon the removal of the deposits from the Bank of the United States should be referred to the committee of the whole House on the state of the Union; which was agreed to without opposition, Mr. Polk, of Tennessee, making a few remarks. He is now the Chairman of the Committee of Ways and Means, and no doubt all the bank concerns are to be referred to that committee.

McDuffie's object, I suppose, is to have the Deposit question referred by itself to a select committee. Immediately after this motion was disposed of, Henry Laurens Pinckney, member from Charleston, South Carolina, announced the decease of Thomas D. Singleton, another member elect from that State, who died at Raleigh, North Carolina, on his way to this city. Mr. Pinckney disclaimed [party], and pronounced a panegyric upon the patriotism of his deceased colleague—a patriotism, no doubt, just like his own. He moved the usual resolutions, to wear crape thirty days, and that the House should adjourn; both of which were agreed to without opposition.

11th. At the House, the Speaker called over the States for the presentation of petitions. I presented that of Hedges and others, for an appropriation to build a custom-house at Plymouth, and it was referred to the Committee of Commerce. After the petitions were gone through, according to the rule the States should have been called over again for the members to offer resolutions; but that was postponed till to-morrow.

The House went into committee of the whole on the state of the Union, and the Speaker, to my astonishment and confusion, called me to the chair. He had once done so at the last session, and once at the session before, upon committees on private bills of no importance, and finished in ten minutes; and I had no suspicion he would do otherwise now. I was attentively reading a newspaper, when I heard him pronounce my name, and, looking up, found he was just leaving the chair. I took it somewhat awkwardly, and it was some minutes before I fully recovered my presence of mind.

C. C. Clay, of Alabama, offered a string of ten resolutions, parcelling out, as usual, the President's message for reference to various committees. Wilde, of Georgia, moved that a separate question should be taken upon the eighth, which was to refer to a select committee the recommendation of an amendment of the Constitution in the election of the President. Mr. Wilde wished to have other amendments to the Constitution considered in connection with that, and that they should all be embraced in one reference. He spoke of the people of Georgia as desiring many amendments to the Constitution, and brought up his colleague, Wayne, who said he was mistaken. *He* thought the people of Georgia were satisfied with the Constitution as it is; and he added some warm remarks, to which Wilde replied, and was sustained by Gilmer. They had a sharp debate upon it of upwards of an hour. It was finally agreed to take the question separately upon that resolution.

McDuffie, of South Carolina, then moved to except the second resolution, which referred the parts of the message relating to the revenue and the Bank of the United States; upon which he had some discussion with Polk, and he proposed, if Polk would agree to strike out the part relating to the bank, to let the remainder of the resolution pass with the rest; but Polk would not consent, and, after some altercation, McDuffie moved that the committee should rise—which they did; having also accepted the resolution respecting the combustion of the Treasury building, at the motion of Leonard Jarvis, of Maine.

On returning to the House, Polk moved a reconsideration of

the vote of the House yesterday referring the report of the Secretary of the Treasury on the removal of the deposits to the committee of the whole House on the state of the Union; but, without entering upon the debate on this question, the House adjourned.

12th. After the presentation of petitions, the question pending yesterday at the adjournment, on Polk's motion to reconsider the vote referring the report of the Secretary of the Treasury upon the removal of the deposits to the committee of the whole on the state of the Union, was taken up; and a long speech was made by Chilton, of Kentucky, against the motion. He was followed by Polk, McDuffie, Cambreleng, Binney, and finally by McKinley, of Alabama, and Wayne, of Georgia, who closed a long speech not very fairly, by moving the previous question. It is not fair, because the man who makes it secures the delivery of his own speech and cuts off the opportunity of the adverse party to answer him. The question was taken by yeas and nays—one hundred and four to one hundred and seven. So that there was not a second.

The Senate yesterday, at the motion of Mr. Clay, sent a message to the President asking a copy of his written communication to his Cabinet, made on the 18th of September last, about the removal of the deposits from the United States Bank; and he has sent them this morning a flat refusal. There is a tone of insolence and insult in his intercourse with both Houses of Congress, especially since his re-election, which never was witnessed between the Executive and the Legislature before. The domineering tone has heretofore been usually on the side of the legislative bodies to the Executive, and Clay has not been sparing in the use of it. He is now paid in his own coin.

13th. I answered a letter from James Moorhead, of Mercer, Pennsylvania, which was dated the 30th of August last, and contained resolutions honorary to R. Rush and myself, adopted at an Anti-Masonic Convention held at Meadville two days before. I had hitherto left that letter unanswered, while the canvass for the office of Governor of Massachusetts was depending, from a sense of propriety. I have, perhaps, committed some indiscretion in answering it now.

I found the House in session, and, after the petitions had been called for, the Speaker presented a long memorial from the Directors of the Bank of the United States appointed by the Government.

This brought up again the debate to what committee they should be referred. There was a motion to refer them to the committee of the whole House on the state of the Union, and that it should be printed. A division of the question was called for, and both parts of it were taken by yeas and nays. The vote against reference to the committee of the whole on the state of the Union was one hundred and seven to one hundred and nineteen. Davenport, of Virginia, insisted upon having the yeas and nays on the printing; but there were only four votes in the negative. The memorial was then referred to the Committee of Ways and Means.

14th. I received a letter from my son Charles, and answered a long one from Benjamin F. Hallett, which was delivered to me yesterday by D. J. Pearce. Both these letters show the delicate and very difficult position in which I am placed as the Anti-Masonic candidate for the office of Governor of the Commonwealth. There is great danger of displeasing all parties, and this is the position in which I have been ever since I returned to public life by accepting a seat in Congress. I have now three-fourths of the people of Massachusetts against me. By alienating from me the Anti-Masons I shall become obnoxious to the whole, and my public life will terminate by the alienation from me of all mankind. It cannot be of much consequence, for I have but little time to live, and for that remnant of days retirement would be more suitable than the turmoil and collisions of public service. It is scarcely possible for me to abstract myself from the great questions which agitate the country; but it is the experience of all ages that the people grow weary of old men. I cannot flatter myself that I shall escape the common law of our nature. There is an ill fortune that pursues, in old age especially, men whom fortune has much favored in youth. I have been of that class, and must now pay the penalty of good luck in my early years, and even till I became President of the United States. From that day is

dated my decline, and every exertion made by me to arrest the course of the descent has recoiled upon me. It is vain to struggle against the will of Providence, and I must meet my fate with what resignation I can. Above all, it behooves me not to flatter myself that I can during my life recover the good will of my countrymen that I have lost. I have answered Hallett's letter, adhering to the determination I had taken of withdrawing from the canvass for Governor in the House of Representatives of Massachusetts.

16th. J. M. Patton's motion to alter the ninth rule of the House, so as to require that the Speaker should vote on all questions, was debated only between Mr. Wayne and him. The question was taken by yeas and nays, and Patton's motion was rejected by a vote of ninety-six to one hundred and twenty-one. Most of the Administration members voted against the change, which was understood to be pointed at Stevenson, the present Speaker. I voted against it upon general principles. The rule is coeval with the existence of the House—that is, with the Constitution of the United States. It is, that he shall vote only when the House is equally divided, or when his vote would make an equal division, in which case the question is lost. His exemption from voting in other cases has a tendency to make him impartial. The opposition members were divided; the Massachusetts delegation about equally.

The debate next followed on Polk's motion to reconsider the vote of the House referring the report of the Secretary of the Treasury on the removal of the deposits to the committee of the whole on the state of the Union. Chilton Allen, Dudley Selden, of New York, and B. Gorham spoke against the reconsideration, Samuel Beardsley and Polk in favor of it. Clayton, of Georgia, and Burges, of Rhode Island, rose together. The Speaker named Clayton. Burges claimed the floor by the rule, Clayton having once spoken, and Burges obtained it. He moved an adjournment, and the House adjourned.

17th. On the reading of the journal, Mr. Patton complained that it made an incorrect statement of his rejected motion, by representing it as a motion to amend a resolution offered by Mr. Hubbard, of New Hampshire. Patton said that it killed

his proposition, and he only wished to give it decent burial. Everybody knew that for him to offer an amendment to any resolution of the gentleman from New Hampshire would be absurd presumption. The fact was that his (Patton's) motion was a distinct proposition of his own, and the ninth rule had been expressly excepted from those adopted on the motion of Mr. Hubbard. The Speaker said Mr. Hubbard had adopted all the rules of the House of the last Congress, excepting the fifty-fifth and seventy-sixth, in his motion, and of course the ninth was among them. That rule had been excepted at Mr. Patton's motion, which was of course an amendment proposed to the motion of Mr. Hubbard. This altercation between the Speaker and Mr. Patton continued ten or fifteen minutes, with frequent reference both to the journal and the daily minutes for the journal.

Patton's complaint was on a very nice distinction, but was just. There was no decision, and, indeed, no formal question, moved by Patton. Polk's motion to reconsider the reference of the deposit removal report to the committee of the whole on the state of the Union was resumed. Burges yielded the floor to Clayton, who made a short speech against the reconsideration. The vote to reconsider was one hundred and twenty-four to one hundred and two. Polk moved its reference to the Committee of Ways and Means. McDuffie moved an amendment —with instructions to report a joint resolution directing that the revenues hereafter collected be deposited in the Bank of the United States, according to the faith of the nation, pledged in the charter, and then moved an adjournment. Carried—one hundred and ten to one hundred and two. Kavanagh told me that the opposition to the adjournment was with a view to the previous question.

18th. I rode to the Capitol, and met, at eleven o'clock, the Committee of Manufactures at their chamber. Present, Jabez M. Huntington, of Connecticut, Harmar Denny, of Pennsylvania, Philemon Dickerson, of New Jersey, Henry C. Martindale, of New York, William McComas, of Virginia, Gayton P. Osgood, of Massachusetts, and myself, Chairman; absent, Warren R. Davis, of South Carolina, and Thomas Corwin,

of Ohio. There was nothing referred to the committee. It was unanimously agreed to adjourn without day, to meet again at the call of the Chairman.

In the House, H. Binney presented the memorial of the President and Directors of the Bank of the United States, not including the bank Directors appointed by the Government, but stating that by the charter of the bank it was stipulated for an equivalent in money and services that the revenues of the United States should be deposited in the bank; that since the last session of Congress the Secretary of the Treasury had ordered that the revenues thereafter to be collected should be deposited elsewhere, and that the deposit in the bank should be gradually withdrawn; and for the injury sustained by the bank by the violation of the contract in the charter they claim indemnity.

Mr. Binney moved that the memorial should be laid on the table and printed.

Polk moved that the memorial be referred to the Committee of Ways and Means. Question decided against laying on the table, by yeas and nays—one hundred and twenty-six to eighty. Order to print passed.

On Polk's motion, to refer to the Committee of Ways and Means, Chilton moved an amendment—with instructions to report a joint resolution directing that the deposits should be restored to the Bank of the United States. In support of this proposition Chilton made a speech of an hour and a half, and then withdrew his motion at the suggestion of Mr. McDuffie that it would forestall the debate upon *his* motion.

Mr. Grennell brought me a letter signed by himself and five others of the Massachusetts delegation—Briggs, Choate, Everett, Gorham, and Reed—addressed to Walter S. Franklin, the new Clerk of the House, stating that there is a rumor of his intending to dismiss several of the subordinate clerks in his office, and praying that he would spare Noah Fletcher, because he is a native of Massachusetts, a worthy man, and a faithful and industrious officer. Mr. Grennell wished me to add my name to the list.

After some reflection, I said I would sign my name, with an

additional note, that it must not be understood as acquiescing on my part in the dismission of any subordinate officer in the service of the House for any cause other than misconduct or incompetency. But, as this addition might rather injure than serve Mr. Fletcher, I left it at Mr. Grennell's option either to take my signature to the letter with that note or to let the letter go without it. He finally preferred not to take my signature.

19th. I had a morning visit from Matthew L. Davis, of New York. He has the credit of being the writer of letters from Washington, under the signature of the "Spy at Washington," published in the New York Courier and Enquirer. These letters excited much attention last winter, and disclosed many facts intended to be kept secret by those whom they concerned. Letters with the same signature are now published, and I spoke with Davis as understanding him to be the writer. He neither acknowledged nor denied the fact—which is, however, very doubtful.

I rode to the House. Mr. Whittlesey, of Ohio, had moved to amend the thirteenth rule of the House by rescinding that part of it which allowed the Speaker and the members of the House to introduce persons within the body of the House.

I moved to except the Speaker, so that respectable strangers from foreign countries might have an opportunity of introduction, as a return of national courtesy extended to American citizens in France and England. But my amendment was vehemently opposed by Hardin, of Kentucky, Thomas, of Louisiana, and by Whittlesey, of Ohio, and was supported by no one. That part of the rule was rescinded.

Mr. Wilde, of Georgia, moved to strike out from the list of privileged persons the Treasurer, Registrar, Comptroller, and Auditor. Ward, of New York, asked for his reasons. Wilde answered, because he saw no reason why they were ever put there. Ward said the reason appeared to be personal, and called for the yeas and nays; but the House refused them. Wilde's motion was rejected by a small majority counted by tellers.

His real object was a cut at Lewis, the Second Auditor of the Kitchen Cabinet, who, Wilde thought, was spending too much of his time in the House.

McDuffie's amendment to Polk's motion, for referring the report of the Secretary of the Treasury on the removal of the deposits to the Committee of Ways and Means, now came up, proposing an instruction to them to report a joint resolution for depositing the public revenues hereafter to be collected in the Bank of the United States. McDuffie spoke about an hour and a half, till some time after three, when J. Davis moved an adjournment; which was carried. McDuffie's speech was a philippic upon the President, very severe.

I walked homeward with Archer, of Virginia, one of the malcontents. He said that after McDuffie should have finished his explosion he should be for taking the previous question; for this was not the stage of the proceedings for a debate on the merits of the question, and the whole concern was proper to be referred to the Committee of Ways and Means. Archer said it was true that the Government was now in the hands of an irresponsible, worthless band of subalterns; and he reflected with astonishment upon the course now pursued by the Southern Nullifiers, compared with their conduct before the election of 1829. They were now reaping the fruits of what they had sowed; Hamilton most especially, then the most furious of the party.

I afterwards was joined by H. Wilson, formerly a member of the House from Pennsylvania, now a visitor here, who walked with me. He said Mr. Clay had been speaking on the Bank question this morning in the Senate.

20th. In the walk behind the pillars I met Mr. Mangum, of North Carolina, and spoke to him of a resolution which he has introduced into the Senate, referring to a committee the President's message refusing a copy of his communication to his Cabinet of the 18th of September, which has been published by his authority.

Mangum appeared willing to be quite communicative on the subject. He said he believed there never had been such a message from the President of the United States to the Senate before.

I mentioned to him a case of misunderstanding between the Senate and me, and one between the Senate and Mr. Madison;

also one between President Washington and the Senate, soon after the organization of the Government; and one with the House of Representatives in 1795, in the case of Mr. Jay's treaty. He thanked me for referring him to these cases, and said he would examine them. And he added that the course of the Southern politicians for the last six or eight years had been one of very great and mischievous errors.

This is now admitted by almost all of them.

21st. I dined with Sir Charles R. Vaughan, the British Minister. Mrs. Webster, and Mr. Wayne, of Georgia, were my neighbors at table, and I had some conversation with both of them—with Mr. Wayne much upon politics. He says there is in the House of Representatives a majority of thirty-one members entirely devoted to the present Administration; but he did not know how it would be next week. He said, also, that if Letcher had claimed his seat the first day of the session he would have carried it; that there had been a meeting of the party, at which the question was taken, and it was decided by a large majority not to sustain Moore. Mr. Wayne gave me his opinions of Calhoun, Crawford, Ingham, Branch, Berrien, and some others.

22d. I dispatched a letter for my son Charles, enclosing one to the Speaker of the House of Representatives of the Commonwealth of Massachusetts, withdrawing my name from the canvass of candidates to be sent from the House to the Senate for the election of a Governor. I have determined upon taking this step against the earnest inclination and advice of the party by which I was nominated, and at the risk of making myself as unpopular with them as I am with the two other parties in Massachusetts. To be forsaken by all mankind seems to be the destiny that awaits my last days. In such cases a man can be sustained only by an overruling consciousness of rectitude. To withstand multitudes is the only unerring test of decisive character. Yet it requires wisdom as well as virtue. Stubborn adherence to a principle is wise only so far as the principle is important and as the adherence to it may be productive of practical good. The useful end of stubborn adherence to Anti-Masonry is yet problematical. Men of excellent moral

principle and of powerful intellect utterly disapprove of political Anti-Masonry. I have staked my reputation, character, and fortune upon it. The wisdom of my course must be determined by the event. It is yet upon trial.

23d. I partly revised my proposed address to the people of the Commonwealth of Massachusetts, to which both my sons have suggested various amendments, and I have adopted them all.

Mr. McDuffie finished his speech upon his proposed amendment to instruct the Committee of Ways and Means to report a joint resolution that the revenues hereafter to be collected shall be deposited in the Bank of the United States. Altogether, the speech has occupied about three hours. He was still more severe upon the President and upon the Secretary of the Treasury this day than he had been last Thursday. When he finished, Wilde, of Georgia, and Polk, of Tennessee, both rose and moved the adjournment. Polk will have the floor to-morrow, and will attempt to answer McDuffie. What Wilde proposes to do is uncertain. Wayne told me he hoped Polk would confine his answer to the defence of the President and Secretary. There was a good deal of agitation in the House among the Administration members at parts of McDuffie's speech.

24th. Finished my letter to Charles, and received one from him and one from B. F. Hallett, exceedingly urgent upon points on which it is impossible for me to yield. They serve to show the difficulty of my situation, and how much more difficult it would have been had the nomination of me succeeded, and had I been elected Governor of the State under it. They would have attempted to control me in every act of my Administration, and insisted upon the regulation of all the affairs of the State with a view to sustain the party.

26th. On the Capitol Hill I left the carriage, and went to the Senate-chamber, into which I penetrated with difficulty, it was so crowded, and particularly by ladies. Mr. Clay was speaking upon two resolutions which he had offered to the Senate—the first, declaring that "by dismissing the late Secretary of the Treasury because he would not, contrary to his sense of his own duty, remove the money of the United States in deposit

with the Bank of the United States and its branches, in conformity with the President's opinions, and by appointing his successor to effect such removal, which has been done, the President has assumed the exercise of a power over the Treasury of the United States not granted to him by the Constitution and laws, and dangerous to the liberties of the people;" and the second, "that the reasons assigned by the Secretary of the Treasury for the removal of the money of the United States deposited in the Bank of the United States and its branches, communicated to Congress on the 3d day of December, 1833, are unsatisfactory and insufficient." Mr. Clay was going over the same ground occupied by Mr. McDuffie in the House of Representatives. I heard him about an hour, and he had been speaking about an hour before. The further consideration of the subject was then postponed till next Monday, and the Senate adjourned to that day.

As I was about leaving the Senate-chamber after the adjournment this day, I met Felix Grundy, one of the Senators from Tennessee, and said to him I supposed we should hear from him next week.

He said, "No; not upon this subject." "But," said I, "you must answer this." "Not I," said he. "I have had enough of that to do last year, and mean to give myself a holiday now."

I said perhaps it was not quite so important that he should give proof of zealous patriotism now as it was last winter.

He laughed, and said, no; it was of no consequence at all. He knew my allusion was to his re-election as Senator from Tennessee—which he succeeded in effecting in spite of Jackson's interference to supplant him by John H. Eaton. Grundy drudged through thick and thin till he extorted from Jackson a certificate of his fidelity, and with that carried the election at the fifty-fourth ballot. His turn now goes two years beyond that of Jackson himself; and he says he thinks he may take his ease for two or three years.

I walked down from the Capitol as far as Gadsby's with Dudley Selden, a young member of the House from the city of New York, whose collar is already galling him severely. They chose him, by turning out Verplanck because he had proved

refractory upon the base persecution of N. Biddle and the bank Directors. They exacted pledges from Selden before they would elect him, and he gave them. But he made a speech upon this Bank Deposit question which manifested something like independence; and the whole pack are out upon him. They have had ward meetings throughout the city, and denounced him by violent resolutions. He has now a mortified appearance, and will probably tread back his steps.

27th. I received this morning two letters: one from a person named W. P. Sherman, dated at Trenton, New Jersey, requesting copies of my letters on political Anti-Masonry; and one, an insulting letter, with a fictitious signature, from Attica, Genesee County, New York, also upon Masonry. I showed the last to Mr. Lay, the member from that district, who took it, and told me he thought he could discover the author of it. He said the signature was intended to be taken by me for that of a person named Earl, a very respectable man, and an Anti-Mason. But the name was not wholly written; the rascal who wrote it meaning to evade the charge of forgery.

30th. Mr. Binney presented a memorial of ten banks in the city of Philadelphia, representing the distressed condition of the commercial community, and praying that the public revenues hereafter to be collected should again be deposited in the Bank of the United States. Mr. Binney moved the memorial should be laid on the table and printed. Polk moved that it should be referred to the Committee of Ways and Means. Mr. Binney's motion was rejected, and Polk's was adopted.

Mr. McDuffie's motion, to instruct the Committee of Ways and Means to report a joint resolution for depositing the public revenue hereafter to be collected in the Bank of the United States, was resumed.

Mr. Polk commenced a speech in answer to that of Mr. McDuffie, and spoke about two hours, when the House adjourned.

I asked Mr. Binney if he knew whether the President of the Bank of the United States had furnished the Secretary of State with a list of the Directors of the bank and its branches, according to a joint resolution of April, 1832, for the Biennial

Register. He did not know, but said he would write and enquire.

After the adjournment, I went into the Senate-chamber, where Mr. Clay was still speaking upon his resolutions against the removal of the deposits. I heard him for about ten minutes, when the Senate adjourned. There was twice a trampling and clapping of applause, of which the Vice-President in the chair took no notice.

31st. I finished a letter to my son Charles, with a last revisal of my address to the people of the Commonwealth of Massachusetts; and I received from him a notification written last Friday, that he had not then received mine to him of the 21st, enclosing my letter to the Speaker of the House of Representatives of Massachusetts. I sent him a duplicate of the same letter last Thursday, and, to make security trebly sure, dispatched a triplicate with my letter this evening.

Year. Crowned with blessings, which call for grateful acknowledgment to the Giver of all good; shaded with afflictions, which it is my duty to bear with resignation; and interspersed with trials, the only resource for encountering which has been fortitude and patient endurance. From the middle of January, for a full month, I was severely indisposed. The Congress terminated on the 3d of March. The only useful result of my service at that session was the report of the minority of the Committee of Manufactures, which with great difficulty I was able to introduce into the House, where it was merely laid on the table and printed. I remained at Washington until the 11th of April, with much and distressing sickness in my family, and much occupied with correspondence and solicitation at the War Office for Revolutionary pensions. On the day of my departure from Washington was published my first letter to Edward Livingston, then Secretary of State, and Grand High-Priest of the General Grand Royal Arch Chapter of the United States. It was followed by five others, published in the Boston Daily Advocate, and since collected in a pamphlet. In the months of July and August my health was again very bad, and my spirits were proportionably affected. The last week in August and first in September were spent upon

an excursion with Mr. Isaac P. Davis and his wife to the White Mountains, in New Hampshire. Immediately after my return, I was, much against my own inclination, nominated by the Anti-Masonic Convention at Boston for election as Governor of the State. The National Republican Convention at Worcester nominated John Davis against me, and the consequence was a total failure of the election of Governor, Lieutenant-Governor, and of one-half the members for the Senate throughout the State. In April I was re-elected a member of the House of Representatives of the United States, a station much more suitable and more agreeable to me than that of Governor of Massachusetts, and I have determined to withdraw my name from the canvass in the Legislature of the State. On the 21st of September my son Charles had a son born, to whom he gave my name. For him, for both my sons, their wives and children, may the voice of my fervent supplications be acceptable to the Father of mercies and God of all grace and consolation. And may the latter days of my partner and my own smooth the path of life in its decline, till it shall please the Lord of all to call us to an improved existence in a better world!

January 2d, 1834.—Walking to the Capitol this morning, I overtook Mr. John Davis, and, as he was to dine with me, told him I should be glad to have some conversation with him this evening upon matters of public interest; to which he agreed. At the House there was a skirmishing debate on the question whether J. Davis's resolution with the memorial of Noah Fletcher should or should not be taken up for consideration. The memorial had been received the thirtieth day of the session. There is a rule of the House that after the first thirty days petitions and memorials shall be received only on the first day of the House's sitting every week. But the rule applies only to the reception, and not to the consideration of them. By another rule of the House, resolutions must lie over one day; and that rule was enforced in this case. Davis's resolution thus passing over the thirtieth day, the Speaker now decided that it could not be called up before Monday, the day fixed for receiving petitions.

This was one of Stevenson's arbitrary extensions of a rule for the mere wantonness of party spirit. It was contested by several members, and Lewis Williams appealed from it, but afterwards withdrew his appeal, well knowing that it was useless to appeal to a majority from a decision made to favor a majority. The Speaker's immediate object was to give Polk the floor, to finish his speech in answer to McDuffie upon the motion to instruct the Committee of Ways and Means to report a joint resolution for depositing the revenues to be hereafter collected in the Bank of the United States. Accordingly, Polk took the floor nearly half an hour before the usual time for proceeding to the orders of the day. He spoke nearly three hours, and his speech is said to have given entire satisfaction to his party. It consisted of a repetition of all the matter which has been gathering for years against the bank, sufficiently methodized, and delivered with fluency. But the galleries were empty, and there was scarcely a quorum in the House. Polk is the leader of the Administration in the House, and is just qualified for an eminent County Court lawyer—"par negotiis, neque supra." He has no wit, no literature, no point of argument, no gracefulness of delivery, no elegance of language, no philosophy, no pathos, no felicitous impromptus; nothing that can constitute an orator, but confidence, fluency, and labor.

When he finished, several members rose and addressed the Speaker, among them Mr. Moore, a new member from Virginia, said to be a man of talent, and H. Binney, who moved that the House should adjourn, and has, of course, the floor for Monday.

We had all the Massachusetts delegation in both Houses to dine with us. I invited them all together for the sake of promoting good-fellowship among them; but, as they do by no means harmonize in political sentiments, I was apprehensive that the party would be stiff and cold; but it was quite otherwise. I avoided all conversation that would lead to unpleasant collisions; and we talked about Egyptian hieroglyphics, and militia laws, and Rufus King.

When the rest of the company went away, John Davis remained, and I had a long conversation with him upon the state of affairs in Massachusetts. I told him that I had sent a letter

to the Speaker of the House of Representatives of the State, withdrawing my name from the election in the House, and that I had done it with a sincere wish that he might be chosen the Governor. I told him also that there had been approaches between the Anti-Masonic and the Jackson parties to combine, with a view to exclude him from the election; that I had been urged to concur in this movement, which I had positively refused to do; that its object had been to unite the members of the two parties in the House to elect Judge Morton and me in the House, with the understanding that Mr. Morton should be chosen by the Senate; that this was all done under an impression that he (Davis) was so inveterately hostile to the Anti-Masonic cause that they could expect no favor from him—an opinion in which I had not concurred; that I was myself in favor of his election, and believed I was rendering a service to the public by apprising him of the course which affairs appeared to be taking, and believing it would depend upon the policy which he should pursue whether the Anti-Masons should be reunited to the ancient National Republican party, or whether they should go entirely over to Jacksonism; that I was very solicitous to accomplish this reunion, believing it indispensable to restore to us the influence in the general affairs of the Union, which by our internal divisions we had lost, and which would be worse than lost if the people of the State should be delivered over to Jacksonism.

He thanked me for the communication, and said that his views and opinions with regard to Masonry had been misunderstood; that he never had been a Mason, and thought the Masonic pageantry very ridiculous, and also that the conduct of some of its members had been very wicked; that he had accepted the nomination of the Worcester Convention with extreme reluctance, and only because the responsibility of breaking up entirely the party had been presented to him as the alternative; that he had wished to retire from public life altogether, but, if he was to continue in it, he should much prefer his station here to that of being Governor of the State; that he felt as strong and anxious a desire as I could to restore harmony among the people of our own State, and felt as forcibly

as I did the necessity of that harmony to obtain for us any influence in the affairs of the nation; that he particularly desired that this Masonic controversy should be amicably adjusted, and had spoken to two or three of our delegation, members of the fraternity, and reasonable men. They were perfectly disposed to give up and abandon the institution; and he had received yesterday a letter from Governor Lincoln mentioning that he had urged upon some respectable members of the order the necessity that they should give up the Grand Lodge altogether, and that they had promised to make the proposal, and he had hopes would succeed in it.

I said I heartily wished they might; but that there would be a memorial to the Legislature praying for a legislative investigation of the oaths, obligations, and penalties of Masonry, and also of the affairs of the Grand Lodge at Boston, and whether they had not forfeited their charter; that the investigation had been defeated by a disagreement between the two Houses at the last session of the Legislature; that I presumed the investigation would be pressed with great earnestness by the Anti-Masons in the present Legislature, and if it should be inflexibly resisted by the National Republicans it would totally alienate from them all the Anti-Masons of the State, and ultimately throw them into the scale of Jacksonism. I added that I must in candor tell him that the Anti-Masons had been very ill treated by the National Republicans as a party, and if there was any expectation or wish to restore them to friendly feeling it must be by a different course of conduct towards them.

He assented to this. He said that if he should be elected he would see and converse with me again before he should leave this city.

3d. Mr. Frye was here, and mentioned that the subordinate clerks in the Executive offices were about to present a memorial to Congress praying for an increase of their salaries, and that it was their unanimous wish that I should present it; that they had been advised to apply to me for that purpose by the Secretary of War, Cass, by the Second Auditor, W. B. Lewis, and even by Amos Kendall. Mr. Frye thought this might be considered as a compliment. I saw in it more distinctly a will-

ingness that I should charge myself with a service not likely to be very popular. However, I said I would cheerfully render to the clerks any service in my power, but should wish to see their memorial before I presented it.

He said that he had told them so, and their committee would wait upon me with the memorial.

At the House, the day was occupied with private business. Several bills were called up and referred successively to two committees of the whole. To the first the Speaker called Lewis Williams to the chair. Williams rose, and asked to be excused. The Speaker was very much nettled, but said, "Certainly, the gentleman from North Carolina shall be excused;" and then called Polk, of Tennessee, to the chair. The rule of the House is, that not more than three bills shall be referred to one committee of the whole; but the practice is to refer six, eight, or ten. Mr. Ellsworth, of Connecticut, was the Chairman of the second committee of the whole.

4th. I visited Mr. Bell, the Senator from New Hampshire, at Mrs. Young's. There I met also Mr. Robbins, of Rhode Island, Mr. Foote, of Connecticut, and Mr. Elisha Whittlesey, of Ohio. Mr. Sprague, Senator from Maine, has introduced into the Senate a resolution of enquiry respecting the trade of the United States with the West India Islands, especially the British Colonies.

Mr. Bell said it was not at all pleasing to the Vice-President, by whose instructions the treaty with Great Britain was made which surrendered the navigation interest in this concern—one of the basest transactions that ever disgraced a Government.

I called at Dowson's, and left a card for Mr. William C. Preston, the new Senator from South Carolina; then, walking down the hill, met Mr. Calhoun, the other Senator from that State, who had been to visit me. I finally left a card at Mrs. McDaniel's for John M. Patton, member of the House from Virginia, who very unexpectedly paid me a visit on New Year's day.

Returning home, I met one of the clerks, who had been to my house with the memorial for the increase of their salaries. Soon after I came home, one of them, R. T. Queen, brought

me the memorial and left it with me. I promised to present it on Monday morning.

He said they wished it might be referred to a select committee rather than to the Committee of Ways and Means, the Chairman of which, Mr. Polk, had been spoken to and was favorably disposed to the memorial, but thought that committee so burdened with other and indispensable business that they would not have time for attending to this. He said they were aware also that my time would be so much absorbed with other business that they could not expect I should be willing to act as Chairman of a select committee upon the memorial, but that the Speaker might probably appoint another Chairman.

I took the memorial, and told Mr. Queen I would do for the memorialists the best that would be in my power.

Mr. Southard, now a Senator from New Jersey, came and spent a couple of the hours of this evening with me. We had a free conversation upon the present state of political affairs. Mr. Clay has introduced into the Senate two resolutions relating to the removal of the deposits: the first, assailing the President; and the second, declaring that the reasons assigned by the Secretary of the Treasury for the removal of the deposits were not satisfactory.

I said to Mr. Southard that I thought the first unnecessary and an encumbrance.

He said he had some doubts whether he should vote for it without some modification, and perhaps Mr. Clay himself might withdraw it. He said he was preparing to speak on the subject, and intended to follow immediately after Benton, who is answering Clay, and has not yet finished. He asked what ought further to be done.

I said the question rather was, what could be done. I thought the men renominated as Government Directors ought to be rejected.

He said he should vote against them.

Next, I said, they ought to reject the nomination of R. B. Taney as Secretary of the Treasury when it should be sent in.

He said he should vote against him.

As for anything further, I thought time should be taken to

consider. There seemed a probability that the great mischief would work its own cure. I spoke to him of a gross misrepresentation in Benton's speech, giving credit to Jackson, as if *he* had introduced the guards requiring the signatures of the Secretary, Comptroller, and Registrar of the Treasury, as well as that of the Treasurer, to all warrants for drawing money from the Treasury, and observed that the Telegraph newspaper, in commenting upon Benton's speech, had repeated this misrepresentation, but claimed the credit of it for Ingham.

He said it was a misrepresentation, and he would rectify it in his speech.

5th. My letter to James Moorhead, of the 13th of December, is published in the Pittsburgh Times which came this day. It had previously been published in the Mercer Luminary—not altogether correctly. There are in the letter some remarks upon a decision in the Mayor's Court at Pittsburgh by Judges, four out of five of whom are said to have been Masons, and which had a strong tinge of Masonry. Those remarks, I expect, will be highly offensive to the Judges who gave the decision, and it is not improbable that they will make their defence in print.

6th. I rode to the House, owing to the intenseness of the cold. The Speaker offered the floor to H. Binney; but he waived the privilege, to allow time for the States to be called over for petitions. I presented the memorial of the subordinate clerks in all the Executive Departments, signed by two hundred and nineteen names, praying for an increase of their salaries. I stated that I presented this memorial not as a Representative of the State of Massachusetts, but at the request of a very respectable body of men; and, as it was upon a matter of considerable general interest, I requested it might be read, that the members of the House might be apprised of its contents. It was read, and I then moved that it should be referred to the Committee of Ways and Means, observing that all, I presumed, the memorialists desired was only a fair examination of the merits of their claim. That was at least all that I desired.

A member from Pennsylvania suggested that it should be referred to the Committee on the Expenses of the Departments;

but there is no such committee, and he made no motion. It was referred to the Committee of Ways and Means.

As the petitions were called up, Dixon H. Lewis, of Alabama, asked leave to offer a resolution of enquiry. Objection was made, and he asked the suspension of the rule; which was carried. He moved a resolution to arrest the operations of the United States troops to remove the settlers on Indian lands in Alabama, and supported it by a violent speech of three-quarters of an hour against the President and the Secretary of War.

Stewart, of Pennsylvania, moved to lay it on the table, but withdrew the motion. Seaborn Jones, of Georgia, sustained Lewis by a very animated speech. McKinley, of Alabama, to get rid of the resolution, moved to postpone the consideration of it till to-morrow.

There was some discussion what the effect of this would be. The Speaker said it would be to throw it in the rear of all the orders of the day. The question was then taken by yeas and nays, and carried—one hundred and ten to one hundred and seven. The House adjourned about three.

I saw Mr. Webster, and told him I wished to have some conversation with him concerning the state of affairs both here and at home. I had engaged to dine with him to-morrow, and he asked me to stay with him an hour or two after the rest of the company shall have retired—to which I agreed. I spoke also to Gales and Seaton, and asked them to republish an article from Niles's last Register concerning their affairs; and I mentioned to Mr. Banks and Mr. Denny, members of the House from Pennsylvania, the letter I had received from E. Pentland, and Mr. Denny showed me a letter that he had received from Pittsburgh, mentioning that Pentland had written to me to inveigle me into a correspondence with him.

7th. Mr. Davis showed me a letter that he had received from Caleb Cushing, a member of the Massachusetts House of Representatives from Newburyport, written Friday evening, the 3d. The House had filled up *all* the vacancies in the Senate with National Republicans, without any regard whatever to the votes of the people. The Anti-Masons and the Morton party

did combine together, and on the several elections numbered from two hundred and fifty to two hundred and sixty. The Nationals had from three hundred to three hundred and thirty. The average majority was just equal to the Boston delegation.

H. Binney took the floor on the Deposit question, and spoke till near three o'clock, when the House adjourned. I walked home, and at five went and dined with Mr. Webster. Waggaman and Bullard, of Louisiana, William Brent, heretofore a member of the House from Louisiana, now a practising lawyer here, Mr. Binney, Mr. Silsbee, J. Davis, G. Grennell, Jr., and George Evans, of Maine, composed the company. Mrs. Webster and his eldest son were at table. I remained with him, after the rest of the company went away, upwards of an hour. I told him that in declining the competition for the election in the House of Representatives it was my purpose, if possible, to bring back to the National Republican party the Anti-Masonic portion of it; that the tendency of the party was to go over to Jacksonism; that they had been encouraged to this by Anti-Masonic opinions and, perhaps, pledges given by Judge Morton and his friends, and that they were prejudiced against Mr. Davis upon the belief that he was entirely under the influence of Masonry; that I was persuaded they might be induced almost universally to support the Administration of Mr. Davis if it should disentangle itself from the Masonic faction.

Mr. Webster concurred altogether in these opinions; and said that all the other members of the delegation (excepting Baylies and Osgood) concurred with them also. Of the delegation, Bates, Choate, Grennell, and Silsbee are Masons, and are all willing to abolish the institution. Mr. Webster told me his own impression upon Masonry—which had always been unfavorable; said his father had always disliked the institution, and had brought him up in the dislike of it. He told me an anecdote of a man who had removed from New Hampshire into the State of New York, and who, as early as the year 1817, had written to him concerning the extraordinary power of Masonry in that State. He said he perfectly concurred in everything that I had published upon Masonry, except, perhaps, a part of my letter to Mr. Cowell.

I said that I could not expect that *all* I had published should meet the concurrence of any one; but that the committee of the Worcester Convention, to assail my letter to Cowell, had been obliged grossly to misrepresent it.

He said that was altogether unjustifiable.

I said that in my address to the people I had assigned my reasons for the part I had taken in the Masonic controversy. The people would judge of them, and I was willing to abide by their decision. I said the surrender by the Grand Lodge of Massachusetts of their Act of Incorporation could not possibly satisfy the Anti-Masons, for that in the memorial itself accompanying the surrender there is a distinct and avowed assertion of prerogatives transcending the authority of the Legislature and even of the people.

He said they would go further; that all the Masons in the delegation here would join in recommending the total abandonment of the institution; that he saw no reason to object to an Act making all extrajudicial oaths, whether of Anti-Masonry or about the sea-serpent, penal. He said he thought, too, that by electing one or two distinguished Anti-Masons as members of the Governor's Council a conciliatory disposition might be manifested; and he named Mr. Fuller and Mr. Bailey. I said that would certainly be a measure both just and conciliatory.

We then spoke of the state of affairs here, and the controversy between the President of the United States and the bank. He said the Committee of Finance of the Senate, of which he was Chairman, would make a report on that subject; that he did not expect there would be a shade of difference between his opinion and mine in this case, and that his object would be to call upon the Administration to show what they propose to do with the public treasure after consummating the removal of the deposits and extinguishing the Bank of the United States. He enlarged much on this topic; but I have no time to detail the conversation.

8th. Mr. Binney resumed the floor soon after the meeting of the House, and spoke till past three o'clock, when, before he had finished, the House, at the motion of C. C. Cambreleng, adjourned. Mrs. Woodbury, wife of the Secretary of the Navy, gave a party this evening in honor of the victory of

New Orleans, to which she sent a card of invitation to me, and to no other person of my family. I declined, of course, her invitation.

9th. Going to the House this morning, I met Dr. Kent, one of the Senators from Maryland, who told me that Littleton Waller Tazewell had been elected Governor of Virginia—an event considered of formidable import to the present Administration of the General Government. Tazewell published last winter a long series of essays against the proclamation. Tazewell has boxed the compass of politics, from federalism to nullification. There were three ballots before the election was completed, so that he had little more than one-third of the votes at first; but his election is the signal for raising the standard of Virginia against Jackson. Its first operation against him will, however, be in the matter of the bank; and the course of his Administration is now so detestable that all other questions of public interest sink into insignificance in comparison with that of arresting him in his career of ruin. Mr. Binney took the floor again for an hour and a half, and closed one of the most powerful speeches, for sound argument, correct principles, and honorable sentiment, that ever was delivered in Congress.

After he finished, Cambreleng, with a short flourish of emphatic malice and nonsense, moved the previous question, but could not carry it. The vote by tellers was eighty-nine to one hundred and eight. Cambreleng then declared his intention to reply to Binney, but, the day being far advanced, he would wish to postpone the further consideration of the subject till next week. Bills from the Senate were taken up, had their first and second readings, and were committed. The Naval Appropriation bill. McIntyre, of Maine, in the chair of committee of the whole on the Union. An amendment from the Senate was discussed. Polk, Chairman of the Committee of Ways and Means, proposed disagreeing to it. Some debate arose thereon, in which I took part; but before the question was decided I was called out of my place by W. W. Seaton, to urge me to deliver the monumental discourse in honor of Washington upon the 22d of next month. I declined, for want of leisure,

and upon prudential considerations; it being impossible to pronounce the appropriate praise of Washington without thereby pronouncing the satire of the present times—which would necessarily bring upon me a charge of indecorum.

10th. Miscellaneous business in the House. Dudley Selden, a new member from the city of New York, had offered a resolution proposing to pay off certain five per cent. stocks, and to sell some of the bank stock of the public for that purpose. It was changed into a reference to the Committee of Ways and Means to enquire. There was a small skirmish of debate upon it this day, after which it was adopted by yeas and nays—one hundred and twenty-six to eighty-one. The chief incident of the debate was the braying of Lane, a new member from Indiana, upon the recovery of the lost Treasury of the United States. I voted for Selden's resolution because he appears to be a promising young man, and has on the Deposit question shown symptoms of revolt against the scullions of the kitchen, for which he has been duly besmutted in their newspapers. The Deposit question came up, but Mr. Cambreleng wished for further time of preparation to reply to Binney, and gave up the floor till next week.

12th. I received a letter from Mr. John Bailey, now a Senator from the county of Norfolk in the Massachusetts State Legislature, which it was necessary for me to answer as speedily as possible. It employed all the leisure of this day. And I introduced into it some remarks upon the Memorial of the Grand Lodge of Massachusetts to the Legislature surrendering their Act of Incorporation, in which there is a claim openly avowed to hold and exercise their Masonic attributes and prerogatives independent not only of the Legislature but of the people.

13th. Mr. John Davis called me aside in the lobby behind the pillars, and told me he had received from the committee of the Massachusetts Legislature the notification of his election as Governor of the State; and that he should go to-morrow. He wished me, therefore, to give him my views of the present state of affairs. I said that there was little to add to what I had already said in my last conversation with him. There were

two things which seemed to me highly important: one was, to reunite the Anti-Masons with the National Republican party to support his Administration; the other was, to obtain a decisive action of our Legislature upon the Deposit, Bank, and Treasury question; that, to satisfy the Anti-Masons, a legislative investigation of the oaths, obligations, and penalties of Freemasonry, and an Act of the Legislature annexing penalties to the administration of extrajudicial oaths, would be necessary; and I believed the Anti-Masons generally would concur in passing resolutions by the Legislature disapproving of the removal of the deposits. The primary purpose would be to conciliate the Anti-Masons, or the alternative was infallible—they would go over to Jacksonism.

Mr. Davis repeated his assurance to me that he was under no pledge to Masons or Masonry, and that he should be desirous of conciliating the Anti-Masons. He thought it would not be proper for him to recommend to the Legislature any particular measure against Masonry, because it might seem like courting the favor of his opponents; but he should be willing to have a law enacted to make the administration of extrajudicial oaths penal; and he should be glad if one or two Anti-Masons should be elected as members of the Council. He said the House of Representatives had sent to the Senate the name of Mr. Lathrop as one of the candidates for the Lieutenant-Governor's office. But that is nothing.

Mr. Webster called and spent an hour with me this evening. We went again over the subject of the condition of parties in Massachusetts—the Masons and Anti-Masons, National Republicans and Jackson men. There was much repeated which had been said before; but nothing explicit as to the Masonic investigation or to the enactment of a penal law against extrajudicial oaths. Mr. Webster said he had drawn up and sent to Stephen White resolutions to be proposed to the Legislature on the Deposit and Bank question. He urged me very strongly to give my opinions on the subject, either in the form of a speech or a report, or a letter to be published by my authority. He said the Senate would reject the nomination of Government Directors of the bank, they would reject R. B. Taney as

Secretary of the Treasury, and they would pass a resolution disapproving the removal of the deposits. They had only been waiting for the arrival of Mr. Clayton, of Delaware, and he was expected to-morrow.

14th. Foster, of Georgia, offered a resolution, that, excepting on the Fridays and Saturdays devoted to private business, the debate upon the Secretary of the Treasury's reasons for removing the deposits should be taken up every day, after one hour devoted to other business. This resolution was adopted. The Deposit question was then taken up, and C. C. Cambreleng made a speech of an hour and a half on the banks of Scotland and sundry other matters, in answer to H. Binney. I never saw Cambreleng so thoroughly broken down. When he finished, Samuel McDowell Moore moved the adjournment, and thus obtained the floor for to-morrow. He is a new member from Virginia, and said to be a man of talent.

15th. I called at the Department of State, and enquired for the instructions to R. Rush, of 6th November, 1817. I found the paragraph forbidding the acceptance of presents, and Mr. McLane read to me the form of the same prohibition as used at this time. Mr. Dickins showed me also the list of presents deposited at the Department to be sent to the House in answer to the call upon the resolution offered by me. Mr. McLane said that the same instruction that I had given to Mr. Rush had been continued to be given to all the Diplomatic Agents of the United States, and that it had now been extended to all the officers in every Department.

16th. At the House. A message was received from the President of the United States, with a copy of the instructions from the Comptroller of the Treasury to the Collectors of the customs, elected yesterday, relating to the execution of the tariff law of the last session of Congress. This was the correction of the mistaken construction of the law in the previous instructions given by the Comptroller on the 26th of December last. My call, by direction of the Committee of Manufactures, was made, and adopted by the House, the day before yesterday. The corrective instructions were not then given, and they were no doubt hastened by that call. The message,

at my motion, was ordered to lie on the table and to be printed; and I requested the Assistant Clerk to have it printed in the Intelligencer to-morrow morning. At one the Deposit question came up, and Samuel Beardsley, of New York, spoke till four against the United States Bank. His speech was the strongest that has been made in the House on that side of the question—much better than Polk's, and incomparably superior to Cambreleng's. When Beardsley finished, four or five members were up to claim the floor. Jones, of Georgia, obtained it, and the House adjourned.

17th. At the House, the pension resolution was further discussed. Peyton finished his invective upon Burges, who was absent yesterday, but now present. H. L. Pinckney, of South Carolina, made an angry speech against the pension system and burdensome taxation and wasteful extravagance, but concluded by moving the indefinite postponement both of the resolution and amendment. The hour had expired.

Mr. Burges asked leave to say a few words in reply to Peyton, and, by the curiosity of the House to hear what he would say, obtained it. He brought in the fable of Hercules and Cacus, and the story of Samson and his jaw-bone to slay the Philistines, as illustrations of his prior sarcasms upon Indian wars. Half the members of the House deserted their seats and crowded up round his place to hear him. He kept the House in a roar of laughter for ten minutes—not a little at the expense of poor Peyton.

When Burges sat down, Peyton begged to be heard one moment in reply; but objection was made. Wilde, of Georgia, moved a suspension of the rule; but the House refused.

Polk then renewed his motion to take up the Appropriation bill, and succeeded. The committee of the whole had reported a concurrence with the amendment of the Senate striking out a silly and nugatory restriction upon printing and the purchase of books. Polk now moved anew the non-concurrence; upon which the debate was renewed. Everett, Bates, Foote, of Connecticut, Whittlesey, of Ohio, and myself showed that the proviso stricken out was insulting to the Senate, utterly impotent as a restriction, and fraudulent, as holding out a colorable restriction

upon expenditures while it was really none. But Clay, of Alabama, sustained Polk; and McKim, of Baltimore, called for the yeas and nays. This made it a party question, and the amendment of the Senate was non-concurred—one hundred and twelve to seventy. Hawes voted against the party, but, before the vote was declared, said, smiling, that he believed he had gone a little astray, and asked to change his vote. Bell, of Tennessee, did not go astray; but after the vote was declared I overheard him discussing the question with another member and warmly insisting that the proviso was inefficient and worse than useless. In committee of the whole there had been a large majority for concurring in the amendment of the Senate; but the call for the yeas and nays is the bugle-horn of party, and never fails to rally the pack.

21st. Several resolutions were introduced with the unanimous consent of the House—among them, one offered by me, requesting the President to communicate to the House, if not inconsistent with the public interest, a copy of the instructions to Richard Rush, Envoy Extraordinary and Minister Plenipotentiary to Great Britain, of 6th November, 1817, and of the order of the President to all the Ministers and Agents of the United States abroad, forbidding them to accept presents from any foreign State unless previously authorized by Congress. This resolution lies over, of course, one day.

Chilton's motion for the extension of the pension list, with Bouldin's amendments and Pinckney's motion for indefinite postponement, were taken up, and Hardin, of Kentucky, made a speech of about an hour, chiefly in reply to Burges, whom he tomahawked without mercy, though he was not present. The hour expired while Hardin was speaking, but by a suspension of the rule he was allowed to finish his speech.

22d. At the House, immediately after the journal was read, Mr. Polk, the Chairman of the Committee of Ways and Means, moved to take up the Appropriation bill, in which the Senate yesterday *adhered* to the amendment to which the House had agreed last Friday. He moved that the House should insist upon their disagreement to the amendment of the Senate and ask a conference.

This gave rise to a debate of two hours, in which there were a multitude of speakers, many points of order, all settled, as usual, according to the Speaker's will, and one of them directly in the face of the manual. Much temper was manifested, much petulance against the Senate, and very little reason. I spoke twice myself, but to little effect. The main question was, whether a conference could be asked by one of the two Houses after the other has adhered to a point in difference between them. By the Parliamentary rules in England, such conference may be asked; but I asserted that in the practice of this Government no such conference had, to my knowledge, ever been held. The Speaker referred to one case, 4th May, 1826, when a conference after adherence by the Senate had been asked by the House but declined by the Senate.

Mr. Foote, of Connecticut, moved that the House do *recede* from their disagreement to the Senate's amendment; and the Speaker, after some beating about the bush, decided that the motion to recede took precedence of that to insist and ask a conference. The question upon the motion to recede was taken by yeas and nays, and decided in the negative—eighty-seven to one hundred and twenty-seven. Then Mr. Fillmore, of New York, asked for a division of Polk's motion to insist and ask a conference. The House refused to insist, but agreed to ask a conference, and ordered five conferees on the part of the House to be appointed.

23d. Morning visit from Mr. Jaudon, Cashier of the Bank of the United States, who brought me a volume sent me by Mr. N. Biddle, of Philadelphia, being a Constitution and Plan of Education for the Girard College for Orphans, by F. Lieber. I had some conversation with Mr. Jaudon upon the affairs of the bank and the prospects of issue to the debates in Congress concerning it. By this visit I was belated in my attendance at the House, and found Amos Lane, of Indiana, speaking upon Chilton's resolution of enquiry into the expediency of extending the pension system to the combatants in Indian wars, till the Treaty of Greenville, in 1794. He spoke till the expiration of the hour, without finishing. Thomas, of Louisiana, asked that the discussion might continue beyond the hour, but made

no motion, and the House passed to the order of the day. Mr. Jabez W. Huntington, of Connecticut, took the floor upon the Deposit question, and spoke about two hours, but did not finish.

Adjourned at three. Mr. Southard came into the House and asked me to excuse him from dining with me, as he had engaged; he being much occupied in writing off his speech upon the resolution in Senate (H. Clay's) against the removal of the deposits.

I told him he would regain the time lost in dining with me by writing more cheerily after three or four glasses of wine; and he promised to come.

After the House adjourned, I went into the Senate-chamber, where Mr. Preston, of South Carolina, was in the midst of a very eloquent speech on Mr. Clay's resolutions. I heard him only three or four minutes, for, without finishing, he gave way for a motion to adjourn. The Senate-chamber was crowded, and Mr. Preston, a new member, coming in the place of Governor Miller, has produced a strong sensation by this speech. Warren R. Davis was there, and, as the hall was emptying, after the adjournment, said to some one, "I trained that colt."

I met in the Senate-chamber also Edward Coles, who told me he had just come from a visit to Mr. Madison, and that he had spoken to him of the anonymous pamphlet published by General Armstrong as a review of my eulogy upon Mr. Monroe, and said he thought some of the friends of Mr. Monroe ought to reply to it. He said Mr. Madison had some thoughts of doing so himself, but probably would not.

27th. Mr. W. W. Ellsworth, of Connecticut, presented sundry petitions, without saying from whom, or in what numbers, praying for the abolition of slavery in the District of Columbia. He moved that they should all be referred, without reading, to the committee on the District, but said, and repeated with emphatic gravity, that his own sentiments concurred entirely with those of the petitioners. They were referred "sub silentio."

Robert T. Lytle, of Ohio, presented resolutions of a meeting of several hundred citizens of Cincinnati, at which General W. H. Harrison presided, praying for a restoration of the deposits and the rechartering of the Bank of the United States,

and made a speech against the resolutions. The meeting instructed him to vote for those measures; but he said he should not consider such instructions as binding him, because they were from persons who had been opposed to his election. And he reflected upon Mr. Ewing and Mr. Southard, in the Senate, for voting and speaking against the instructions of their Legislatures. Watmough called him to order once, but he was suffered to proceed. The Speaker afterwards called him to order when he was reflecting upon Mr. Ewing, the Senator; and he said he would put the case hypothetically. His contemptuous rejection of the instructions to himself, and his sallies against Ewing and Southard for disregarding theirs, formed a contrast quite ludicrous. The report of the conferences of the two Houses upon the disagreeing votes on the restriction clause in the bill making partial appropriations for the year 1834 was presented, and taken up for consideration. Immediately after it was read, I enquired of the Speaker whether the reported compromise, embracing matter upon which there had been no disagreement between the Houses, was in order. The Speaker decided that it was, but that it might be made a ground of objection to concurring with the report in the committee of the whole on the state of the Union. The House immediately went into committee—Clay, of Alabama, in the chair. Polk, E. Everett, and Stevenson, the Speaker, press the committee to report concurrence with the report of the conferees. Wilde, of Georgia, Lewis Williams, and myself opposed it. The question was taken, and the committee report to concur by a vote of eighty-seven to seventy-nine, and the House adjourned.

28th. Mr. Burd, a member of the House of Representatives from Pennsylvania, called, and said that the Committee on Military Affairs, of which he is a member, had some question concerning brevet rank, and, hearing that I had written something on that subject, he came to ask if I would favor him with a sight of my manuscript. I told him I had written upon the subject of brevet rank, but it was a controversy raised by General Scott which had forced me to it, and he was severely treated in it. He had set himself in defiance to the Executive authority, and I should have been under the necessity of dismissing

him from the army, highly as I estimated his services, if I had not myself been dismissed from my own office. General Scott gave up the point under my successor, and since then had treated me with great courtesy. I had suppressed my manuscript, which I at one time had intended to publish, and, retaining no resentment against General Scott, wished to forget all past animosities. If, therefore, I could lend him the manuscript, it must be confidentially, and with the understanding that he will consider all harsh commentary on General Scott as expunged. On that condition I promised to lend him the manuscript.

In the House, Harmar Denny, of Pennsylvania, spoke till the expiration of the hour upon Chilton's resolution to extend the pension system to the Indian warfare—from the Peace of 1783 to the Treaty of Greenville, in 1794. His principal object was to vindicate the character of Generals St. Clair and Harmar, which had been assailed by Hardin, of Kentucky.

The question of the deposits was resumed, and Huntington concluded his speech—a very good one, but there was no quorum in the House to hear him; not, I think, at any time while he was speaking, one hundred members present. Yet, with so little disposition to *hear*, such was the eagerness to speak, that, as he drew to a close, four members took their stands close beside him, and there stood, much to the merriment of the House, upon the watch for his last word, to address the Speaker. Clay, of Alabama, was in the chair, and he gave the floor to W. S. Archer, of Virginia, who had already three times before failed to obtain it. At his motion the House adjourned. Gorham and Vanderpoel wait.

29th. The question upon the removal of the deposits followed, and William S. Archer, of Virginia, took the floor. He spoke with great emotion for about an hour, but then became quite exhausted, and sat down without finishing. The House adjourned about two o'clock. Archer has been one of the most ardent and faithful friends of the present Administration, but, being withal a man of some principle, he has been compelled to break away from his associates, and he now is warm in opposition. But his agitation was too great for his slender

constitution, and he sunk under the effort of exhibiting his argument. I went into the Senate-chamber, and there heard P. Sprague, of Maine, for an hour and a half on the same subject—a general invective against the present Administration. When he closed, Felix Grundy, Senator from Tennessee, obtained the floor, and moved the adjournment.

30th. In the House, Hannegan, of Indiana, spoke to the expiration of the hour upon Chilton's resolution for extending the pension system to Indian warfare. He went over all the old ground, and scolded at Burges, who was not in his seat. Horace Everett, of Vermont, asked unanimous consent to take up a resolution of enquiry concerning Indian annuities, the resolution being offered by direction of the Committee of Indian Affairs. Objection made. H. Everett moves to suspend the rule. Question taken—seventy to twenty-nine. No quorum. Everett calls for the yeas and nays, and the rule was suspended. The resolution was then adopted without opposition. Mr. Archer was detained from the House by indisposition. So the Partial Appropriation bill and the report of the committee of conference on the disagreement between the two Houses was taken up. Hubbard, of New Hampshire, with no little pomposity, produces what he calls two precedents in 1816 of reports of committees of conference embracing more than had been referred to them, and of the acceptance of such reports. His precedents did not apply at all. Wayne, of Georgia, insisted that the papers were not before the House according to the parliamentary rule, but they were there in fact. Polk worked like a galley-slave to cram down his report. Edward Everett, who was on the committee of conference, and who, I have no doubt, contrived to thrust in the five thousand dollars annual appropriation for the library to the compromise, stoutly sustained it. Sutherland and Horace Everett took the same side; opposed by Hardin, of Kentucky, Clayton, of Georgia, and by me. The question was taken by yeas and nays, and the report was rejected—eighty-eight to one hundred and eight—against the whole party power of the Administration, strengthened by all the power of the opposition that Edward Everett could carry with him. But this vote will not be suffered to stand.

The House was thin—forty members absent. Wilde, of Georgia, immediately moved that the House recede from their disagreement to the Senate's amendment. The Speaker declared this motion to be not in order, the House having already refused to recede. There was no time for contesting the decision, for it was near four o'clock, and the House adjourned.

31st. In the House, the most remarkable movements were, to revoke the decision of yesterday against the report of the committee of conference. First, Speight, of North Carolina, by unanimous consent of the House, offered a joint resolution for supplying the members of the present, who were not of the last Congress, with all the books which had been supplied to the old members; the expense to be paid from any moneys in the Treasury not otherwise appropriated—a regular appropriation by resolution; and it was hurried on till it came to the order of engrossment for a third reading, which passed. Chilton's resolution was then taken up, and Hubbard, of New Hampshire, made a foolish speech in answer to that of H. L. Pinckney. Hubbard exceeded the hour, and there were manifestations of impatience in the House at the continuance of this debate, and Foster threatened the previous question. I said I wanted five minutes to speak upon the resolution itself, disencumbered of amendments. Foster proposed to refer the resolution to a committee of the whole House, where debate cannot be arrested by the previous question; to which I said I would not object. I asked the Speaker if an appropriation of money could be made by a joint resolution. He said, yes, but that by a rule of the House it must at the second reading go through a committee of the whole. So he told the House that Speight's resolution had passed to a third reading by mistake, and it must be committed to a committee of the whole. The House accordingly went into committee. The Speaker called Foster, of Georgia, to the chair, but he asked to be excused. Conner, of North Carolina, was then called to the chair, and in committee of the whole, Foster, of Georgia, made a violent attack upon the resolution itself. He moved that the committee should rise, so that the resolution should be referred to the Committee on the Library, to ascertain the amount of the appropriation.

Upon taking the question, there was found no quorum. After some debate, the committee rose and reported the fact; and the consideration of the resolution was postponed. McIntyre, of Maine, then rose and moved the reconsideration of the vote yesterday rejecting the report of the committee of conference. This, too, was postponed. The Speaker, Stevenson, then said that when he decided yesterday that the motion to recede was not in order, because the House had already refused to recede, it had not occurred to him that the refusal had been at a different stage of the bill; that, therefore, the motion yesterday to recede was in order. I repeated what he now said, and asked him if I had correctly understood him. He said, yes. I told him I was very glad to hear it, for that I had proposed to make a little discussion upon that decision. This occasioned a laugh in the House. I asked Mr. Seaton whether he intended not to report the debates on the Partial Appropriation bill and the report of the committee of conference. From his answer I concluded that they meant to slur over the whole of those debates. He promised me, however, that they should be published, and Stansbury, the reporter, told me he had full notes of them all. Gales and Seaton have an individual interest in the whole discussion and in its result, which they have no desire should be exhibited in much relief to the public.

February 4th. In the House, Mr. Chilton's resolution of enquiry for extending the pension system was taken up, and Patrick H. Pope, of Kentucky, made a speech of about half an hour in its favor. Eloquent, after the Western style. T. T. Bouldin and David Crockett rose together. The Speaker gave the floor to Crockett, if he was going to make a speech. Crockett said his object was to move the previous question. The Speaker said that was not in order, Mr. Bouldin having already the floor. Crockett said then he would make a short speech himself; which he did. I then said I wished for about ten minutes to address the House, not upon Mr. Bouldin's amendment, nor until that should be disposed of, but, as that might be cut off by the previous question, which had been threatened, and which, if carried, would deprive me of the opportunity of speaking on the main resolution, I must claim the floor in

preference to Mr. Bouldin, who had once spoken upon his amendment. I accordingly obtained the floor, and spoke for the remainder of the hour, not exceeding ten minutes, in favor of the resolution, much to the satisfaction of several of the Western members, two or three of whom expressly thanked me for my speech, and one of them asked to be introduced to me for that purpose—John B. Forester, of Tennessee. But my speech was nothing, and ought to have been a strong one.

There came a thundering message of the President upon the *conduct* of the Bank of the United States in refusing to deliver up the books and to transfer moneys in the bank appropriated for the payment of pensioners under the Act of June, 1832, which occasioned a very sharp debate. Motion was immediately made to refer the message and accompanying documents to the Committee of Ways and Means. Colonel Watmough moved their reference to the Committee on the Judiciary. There was a letter from the President of the bank, containing an argument upon the law, and a counter-argument in an opinion of the Attorney-General, Butler, with the message. Barringer called for the reading of these papers, and the question to which committee the reference should be made was debated till past five o'clock. Denny, of Pennsylvania, moved instructions to the committee for payment to the pensioners, but his amendment was cut off by the previous question; carried by one hundred and nineteen to ninety-five. And then the simple reference to the Committee of Ways and Means was decided by a vote of one hundred and seven to one hundred and six. After giving my vote on this last question, I left the House and came home while the yeas and nays were taking. The House immediately afterwards adjourned. We had company to dine, and in the evening Mr. Clark and Mr. Slade remained with me about an hour, conversing upon the prospects of the Anti-Masonic party. They have been nearly annihilated by the desertion of R. Rush. Colonel Crockett was very diverting at our dinner. Mr. Bell, Senator from New Hampshire, failed to come.

5th. In the House, the General Appropriation bill was reported by Polk, the Chairman of the Committee of Ways and

Means, and then, till the expiration of the first hour, bills at the third reading were taken up, and a number of them were passed. After the hour, the Deposit question came up, and the Speaker called up Archer, when McKinley, of Alabama, asked him to yield the floor to him for a moment, as he had a notice to give to the House. Archer assented, and McKinley said there had been debate enough upon this subject—that it was necessary to come to some decision, and he hoped immediately after Archer should finish his speech the House would take the question; and then he sat down. I rose to speak. The Speaker asked Archer if he yielded the floor. I told him it was merely to remark on McKinley's notice, and he gave me the floor. I asked what was the notice given by the member from Alabama. The Speaker answered that I had heard what he had said. I said I had heard him announce that he had a *notice* to give to the House, and then I had heard him say that immediately after Mr. Archer should finish his speech the House must take the question. Was that the gentleman's *notice?* The Speaker laughed, McKinley made no reply, and I sat down. Archer resumed his speech, and spoke about an hour, without a quorum in the House. I asked Mr. Gorham if he did not intend to speak. He said, no; he had given it up, and should wait for the report of the committee. When Archer finished, however, there were three or four claimants for the floor. It was taken by Bailey Peyton, of Tennessee. He had been conning his speech a long time, for it was chiefly in answer to McDuffie; very declamatory, and full of invective. In the course of half an hour he became exhausted, and before three, Bell, of Tennessee, moved an adjournment in his behalf. The House immediately adjourned.

I went into the Senate-chamber, which was crowded, and where Mr. Clay was speaking. Between him and Silas Wright and Wilkins and Webster and Sprague there was a sharp-shooting debate on the mere question whether five thousand or six thousand copies should be printed of the report of the Committee of Finance on the Secretary of the Treasury's deposit report. It was made this morning by Mr. Webster, and the debate upon it was very acrimonious.

6th. George Chambers, of Pennsylvania, made a very earnest speech against Chilton's resolution for extending the pension system. The hour expired, and he had not finished. Pinckney, of South Carolina, moved to suspend the rule, that Chambers might conclude; but the House refused. The Deposit question then came up, and Bailey Peyton finished his speech, to the honor and glory of Andrew Jackson, against McDuffie's speech. He was followed by Henry A. Wise, a new and young member from Virginia, who made a very keen, satirical speech in favor of the restoration of the deposits and of a National bank, and against all those who are of the same opinions. He is coming forward as a successor of John Randolph, with his tartness, his bitterness, his malignity, and his inconsistencies. Wise finished at about half-past three, when T. T. Bouldin obtained the floor and moved an adjournment. Immediately came the call for the yeas and nays—which explained McKinley's notice of yesterday; but the majority are not yet screwed up to stop the debate. The adjournment was carried by a vote of one hundred and thirteen to one hundred and three.

7th. At the House of Representatives I met Asbury Dickins, and asked him why the resolution of the House calling on the President for a list of presents deposited at the Department of State had not been answered. He said that it had not been received. I asked the Clerk of the House whether it had not been sent to the President; he said it was not yet passed by the House. I said the journal had then been falsified. Johnson, the Assistant Clerk, looked over the minute of the journal, and said I was right, and that the resolution had passed by unanimous consent. This, however, was only one mistake for another. It was not passed by unanimous consent when offered, but, as I thought, laid over one day, and then adopted without opposition. Even of this I am not sure; for I was confident I had a minute of it, and found I had not. I was rash and violent in the charge of falsification of the journal. Dickins asked me whether I thought the written opinions which by the Constitution the President is authorized to require from the heads of Departments are public papers, liable to be called for by

either House of Congress. I said I thought they were, and referred him to the documents of the first session of the last Congress upon the apportionment law, among which are the opinions given to President Washington by the heads of Departments upon the first Apportionment Act, which he negatived.

I thought Dickins meant to give me a hint that there were written opinions given by the heads of Departments to the present President which it might be desirable to have called for.

In the House, T. Chilton's resolution was up, and Chambers, of Pennsylvania, finished his speech—an elaborate one—against it. G. W. Lay obtained the floor on the same side of the question, but the hour had expired. Polk, Chairman of the Committee of Ways and Means, moved to suspend the rule of private business to take up the Partial Appropriation bill. The rule was accordingly suspended. McIntyre's motion to reconsider the vote rejecting the report of the committee of conference gave rise to much debate. Wilde's motion to recede, which the Speaker first decided to be out of order, and the next day, after McIntyre's motion to reconsider was made, he declared had been in order, ought to have been first debated. But the Speaker gave the preference to the motion to reconsider. It was warmly contested; but the House refused to reconsider, by yeas and nays—one hundred and fifteen to one hundred and three. Wilde, of Georgia, then moved to *recede* from the House's disagreement to the amendment of the Senate, and this raised another sharp debate, Polk pleading piteously for another conference. The vote to recede was carried by yeas and nays—one hundred and eleven to one hundred and four, and the bill is passed.

11th. At the House, among the reports from standing committees was one made by Mr. Polk, Chairman of the Committee of Ways and Means, with a bill for the payment of the pensioners. Ordered that ten thousand copies of the report and documents be printed. I moved a reconsideration of the vote yesterday taken, referring one of the memorials from New York, presented yesterday by Mr. Cambreleng to the Com-

mittee of Ways and Means, with a view to move its reference to the Committee of Manufactures. It was the one praying for the establishment of a warehousing system. I said the memorial had not been read, and, being now at the printer's, I had not been able to get a sight of it, but, from the observations made by the gentleman who presented it, there could be no doubt that the measure prayed for by the memorial would deeply affect the manufacturing interest, for the protection of which the committee to which I belonged was instituted. The Speaker said the consideration of my motion must be laid over till next Monday. I said that if the reference of the memorial was to be made to the Committee of Manufactures, it was important that it should be made as speedily as possible, and asked the unanimous consent of the House to consider the motion now. But objection was made. I moved to suspend the rule—for which a considerable majority voted, but not two-thirds, so that the motion was lost. Then Chilton's resolution for extending the pension system, with Bouldin's amendment, was called up. Chilton Allen, of Kentucky, said he was very desirous of replying to the arguments of several gentlemen against the resolution, and a member from Georgia (Gilmer) had also claimed the floor in opposition to it; but the House was weary of the debate, and he was willing to forego the privilege of further addressing the House on the resolution, and would do what he had never done before—move the previous question.

This, of course, cut off Bouldin's amendment, and Allen was requested to withdraw his motion, but declined. There was a large second for the previous question, which was carried by a large majority by yeas and nays—one hundred and seventy-six to sixty-six—as was the question upon the resolution itself—one hundred and nineteen to eighty seven, the committee to consist of nine members. The hour expired.

The motion for reference of the Secretary of the Treasury's report on the removal of the deposits to the Committee of Ways and Means, with the instructions moved by McDuffie, and the amendment proposed by S. Jones, of Georgia, came up. T. T. Bouldin, of Virginia, had the floor from last Thursday,

and a long and impressive speech was expected from him. He rose, and said that before entering upon the subject in debate he would notice a rebuke he had received from his colleague who had last spoken (Wise), for the omission to offer the usual resolution that the House should go into mourning for the decease of John Randolph, who at the time of his death had been a member elect of this House (Randolph died last June, and Bouldin was chosen to succeed him). He said he had no disposition to take to himself any general reflections which might equally apply to others, but thought he could not avoid some reply to a censure which could apply to no other person than himself; that it would have been kind if his colleague, instead of this public animadversion upon his omission, had enquired of him privately the reason for it; that another of his colleagues had done so in the most delicate manner, and through a third person, at the commencement of the session, and now, to justify himself before the House, his colleagues, and his constituents, it was necessary for him to say what he should have said if he *had* offered such a resolution. At this instant Mr. Bouldin shook, staggered, and fell, and never spoke another word.

He was taken as soon as possible without the bar, laid on the carpet close to a window, which was thrown up. The House was instantly adjourned. Two or three physicians, members of the House, and Dr. Naudain, of the Senate, hastened to his aid. He was immediately bled, but died within fifteen minutes. His wife was in the gallery, where she had come to hear him speak. She came down immediately after he fell, quite in a state of distraction. There was a moment of interval when he had an appearance of returning life, which was told her to compose her agitation, but two minutes after he expired. Her friends were obliged to take her away, screaming in agony. I saw him within five minutes after the spirit had departed, and the corpse was soon after removed into the Speaker's chamber. I had gone over from my seat to say a word to Mr. Beardsley while Mr. Bouldin was speaking, and had my eyes upon him as he was speaking his last words. I had but just turned from looking in his face, when I heard a

member say, "He is greatly agitated." I looked towards him, and he was already fallen.

As I walked home, I mused on the frailty of human life and the vicissitudes of human passions and fortunes, but especially on the tenderness with which the feelings and judgments and motives of others ought to be treated in political debate. Mr. Bouldin was a man of good disposition and sterling integrity, warped sometimes into great curvature by the political prejudices of the Virginia school. He had been bitter as gall upon all the tariff questions, and the proclamation and the removal of the deposits had brought him round to determined opposition to the present Administration. His speech would have been one of the severest against the Administration to which the debate has given rise, and the catastrophe which intercepted it is but one of the symptoms of intense excitement spreading over the community.

13th. The House met at eleven o'clock, and immediately after the reading of the journal was adjourned to twelve to-morrow. The funeral service over the remains of Thomas Tyler Bouldin, a member of the House from Virginia, was performed by the Chaplains of the two Houses. The service of the Episcopal Church was read by Mr. Stockton, the Chaplain of the House, and an extemporaneous funeral sermon was delivered by Mr. Hatch, the Chaplain of the Senate. His text was from Psalm lxxxix. 48: "What man is he that liveth, and shall not see death?" The certainty of death, and the uncertainty of its time, are familiar topics, upon which nothing new can be said, and, where the event has been so awful, perhaps no extemporaneous comment could otherwise than fall short of an impression corresponding with it. I rode to the Eastern Branch grave-yard in a hack, with John Adams, Charles Bodle, and George W. Lay. The carriage was a very small one, so that four persons could with difficulty be crowded into it, and the road was deep. In returning, it stuck at the passage of a small wooden bridge, and we were all obliged to alight in the road. I would not go into it again, but in walking homeward was overtaken by another carriage, in which were Martin Beatty, of Kentucky, and William C. Dunlap, of Tennessee,

who offered me a seat with them, which I accepted; returned to the Capitol, and thence walked home.

14th. Mr. Cowperthwait, one of the cashiers of the Bank of the United States, was here this morning, and again in the evening, with Mr. Elihu Chauncey, who is at the head of a deputation of twenty-four persons from the numerous petitioners of the Philadelphia memorial for the restoration of the public deposits to the Bank of the United States. There have been similar deputations from New York and Baltimore. They have all had interviews with the President, who treated them all politely, but declared his irrevocable determination never to consent to the restoration of the deposits, and never to assent to the chartering of a Bank of the United States. His experiment is to stake the revenue, the credit, and the currency of the country upon the State banks. At the House, immediately after the reading of the journal, Mr. Wise, of Virginia, by unanimous consent of the House, gave an explanation of his remarks upon which Judge Bouldin was about to comment when he fell lifeless upon the floor. Mr. Wise disclaimed all intention of hurting the feelings of Mr. Bouldin when he made the observations to which the Judge alluded in his last words. Mr. Wise said an explanation had already taken place between them, and that not the slightest sentiment of unkindness had remained between them after it. He eulogized Mr. Bouldin with becoming sensibility, and redeemed, in the apparent estimation of the House, the indiscretion which had been imputed to him for his severity, after the fatal catastrophe which seemed to have some connection with it. A message from the President of the United States was received, with a report from the Secretary of State, and a list of presents received by persons in the public service of the United States from any foreign King, Prince, or State, and now deposited at the Department of State. This was the answer to a call offered by me; and at my motion the message and documents were ordered to be printed and referred to the Committee of Foreign Affairs. Archer, the Chairman, promised me that he would wait till the other resolution offered by me, and now before the House, shall be acted upon, to make the report from the committee. The

resolution is to call for copies of the instruction to R. Rush of 6th November, 1817, and of President Jackson's orders to the Agents abroad against receiving presents.

15th. Mr. Potts, a member of the House of Representatives from Pennsylvania, came with six other gentlemen from Chester and Lancaster Counties, in that State. Mr. Leaming and Mr. McIlvaine, with four others, from Philadelphia, soon followed, and then Mr. Richards, the late Mayor of that city. These are most, or all, delegates from the memorialists to Congress for relief which they will not obtain. They are in a state of great discouragement; but it is the spirit of fear, and not of resentment.

At the House, a resolution offered by George R. Gilmer, of Georgia, came up, calling upon the Secretary of War for a correspondence relating to the death of a man named Owens, killed in the State of Alabama by a soldier of the United States troops. It is a part of the sham quarrel between the Government of the State of Alabama and the President of the United States. Mr. Gilmer supported his resolution with an ardent speech. Clay, of Alabama, moved to lay the resolution on the table. Four claimants for the floor were up, but the hour for resolutions had expired, and a motion to suspend the rule for a continuance of the debate was lost. Several bills, at the third reading, were passed, but the House refused to take up the Appropriation bills, and it was impossible to get up a debate upon anything else. The House adjourned about two o'clock.

I had urged Mr. Binney to prepare a minority report for the Committee of Ways and Means, there being a resolution before the House for printing ten thousand copies of the report of the majority. He intimated that there were difficulties in the minority of the committee itself; that Mr. Gorham has his own opinions. Wilde does not attend the committee at all. Binney said he should have to sign the minority report alone, and that Mr. Gorham and Mr. Webster were afraid of the effect of this affair upon the popularity of the bank. I could not conceive this, and asked Binney if this was not identical with the Deposit question, besides something more. He thought with me, and has prepared a report, which he sent me by Mr. Sergeant

and requested me to read and return it to him to-morrow morning.

16th. I had scarcely any sleep, and rose at half-past three this morning. I read the remainder of Mr. Binney's minority report, with some additional pages which he brought and left at my house this morning. I took the manuscript back to his lodgings before church, but had time only for a few words of conversation with him concerning it. I heard this morning at the Presbyterian Church Mr. Smith, from Daniel v. 27: "Thou art weighed in the balances, and art found wanting." After the sermon, he gave notice that there would be a monthly sale of effects next Saturday, to pay the debts of the church, and he called most earnestly upon the members of the society for contributions. There was an approach to an intimation that if they should neglect this intimation he would be forced to leave them; and he particularly requested every individual member of the society to pray every evening for a revival of the spirit of religion. There is great need of it. Indifference to religion and infidelity are vices which naturally spring from general peace and prosperity. We are deeply infected with them, and they are spreading with frightful rapidity. May God in His mercy and in His own due time provide the remedy!

17th. I rode to and from the Capitol. It was the day for petitions and memorials. But my motion to reconsider the reference to the Committee of Ways and Means of the memorial from New York, praying for the establishment of a warehouse system, was first taken up. I supported it by a few remarks, but my voice was so hoarse and feeble that it broke repeatedly, and I could scarcely articulate. It is gone forever, and it is in vain for me to contend against the decay of time and nature and the incurable misconstruction of the House. Cambreleng resisted the motion. I was sustained by Huntington, and Selden was willing to reconsider, but wished the memorial to go to the Committee of Commerce, to which I had no objection; but the House, by yeas and nays—eighty-four to one hundred and twenty-six—refused to reconsider.

Then came memorials from Portsmouth, New Hampshire, presented by Harper, who made a speech against it; from

Providence, Rhode Island, by Burges, who made a speech in support of it, and was answered by Pearce, his colleague—a sharp altercation between them succeeded; from Connecticut, by Foote, with a few remarks; by Cambreleng, from New York, Tammany resolutions against the bank; by King, Harper, and Sutherland, from Pennsylvania; Harper's, from shoemakers, which he supports with a speech. Among Sutherland's memorials there was a counter-one from shoemakers to that presented by Harper, and some words passed between them. One of Sutherland's memorials was accompanied with resolutions violent against the Government—that is, the President. Mann, of New York, objected to the printing of them, as containing disrespectful expressions to the Government. He asked for the reading again of the second resolution, to mark the disrespectful expressions, but they were not there. He asked the reading of the third, and they were still not there. Sutherland intimated to Mann that he had better withdraw his objection, and whisperers flocked to him till he did withdraw it. Watmough took fire, and said he was very sorry he had withdrawn it. He asked him what he meant by the Government, and said he would read to him the expressions which had given him offence; and he did read them. They were sharp enough. The Speaker called Watmough to order, but he persisted. Mann said he meant by the Government the House of Representatives, but admitted that the words read by Watmough were those he had thought exceptionable, and they referred only to the President. Mann backed out rather ungraciously, and concluded with a declaration of personal independence of Watmough. Lane, of Indiana, was for bringing the House upon Watmough, but the Speaker put him down by saying there was nothing before the House to reflect upon.

Heath, of Baltimore County, presented a numerously-signed Deposit memorial from Baltimore, which he supported with a very warm speech, declaring himself a firm friend and supporter of General Jackson, but no collar man. He said, if the President was to send a message here to-morrow recommending the restoration of the deposits, the whole House would vote for it; upon which he was called to order by the Speaker.

Patton, of Virginia, presented a memorial and resolutions from Richmond against the removal of the deposits, and made an ambiguous speech against the resolutions. From North Carolina there were resolutions against the removal of the deposits, passed at a meeting where S. P. Carson presided with considerable ability. Resolutions of the House of Representatives of Kentucky against the removal of the deposits were presented, and Lyon presented a memorial, signed, he said, by thirty-three persons, to the same effect. He presented also a memorial from others, pretenders to the discovery of endless life on earth —asking for land. Pinckney, of South Carolina, presented a memorial from a large meeting at Charleston, South Carolina, against the removal of the deposits, but reserving the question of the constitutionality of the bank. These memorials and debates, with other petitions, kept the House in session till half-past five. Several attempts to adjourn were made, but failed until all the States had been gone through. It was about six when I got home, exhausted and dispirited, and I could do nothing but play whist all the evening. This universal cry of distress from Portsmouth to Charleston, and from Baltimore to Frankfort, Kentucky, produces no appearance of a disposition to afford relief. I stopped this morning at Mr. Wirt's lodgings, to enquire how he was. He is at the point of death with an attack of erysipelas. At the House, I saw Mr. John Barney, who told me he had just come from Mr. Wirt's; he had a blister on the head, but was not expected to survive.

18th. Passing in my way to the Capitol this morning by the house where Mr. Wirt had lodged, a crape tied to the knocker of the door announced his decease. And thus pass away in succession the glories of this world. He has not left a wiser or better behind. At the last election of President of the United States, he was one of the candidates who received the suffrages of the people, and a very little difference in the state of the public mind at that time would have effected his election. He had never been in public life, excepting in connection with his profession, which was the law; but for twelve years, during the Administration of James Monroe and mine, he was Attorney-General of the United States. His death was announced

to the Supreme Court by Mr. Webster, with an appropriate eulogy.

At the House, upon the reading of the journal, I objected to the statement on it respecting the memorial from New York for the establishment of a warehousing system; but the Speaker persisted in leaving the statement upon the journal without correction. The resolution of Mr. Gilmer, of Georgia, respecting the killing of Owens, was discussed till the expiration of the hour. B. Gorham presented the minority report from the Committee of Ways and Means on the Bank and Pension Fund message. I took that opportunity to offer a resolution calling for a statement of facts and the correspondence respecting the disallowance by the accounting officers of the Treasury of an account paid by the Bank of the United States under an order from the Commissioner of Pensions. My resolution necessarily lies over a day.

When the Deposit question came up, Henry A. Muhlenberg, of Pennsylvania, after a short speech, moved the previous question. Wilde, of Georgia, and Burges, of Rhode Island, asked him to withdraw his motion; but he declined. Chilton, of Kentucky, moves a call of the House, which the Speaker declares to be not in order. Chilton appeals from the decision of the Speaker, but afterwards, at the request of Hardin, of Kentucky, withdraws his appeal; which I immediately renewed, and a discussion of an hour or more followed. I then withdrew my appeal, stating that, although more and more convinced of the pernicious character of the decision, there were indications enough to me that the majority of the House would not *now* agree with me in opinion, and I preferred leaving the question for a propitious moment than to take now a vote which might hereafter appear to be a precedent against the principle which I deem correct. Foster, of Georgia, however, renewed the appeal again, and the question was decided by yeas and nays. The Speaker's decision was sustained by one hundred and fifteen to one hundred and twelve—which, in the state of parties and the temper of the House, was equivalent to a majority of twenty-five against it. Then upon the question of a second to the demand for the previous question, the vote counted by tellers

was one hundred and sixteen to one hundred and nine. Then voted by yeas and nays that the main question should be now put—one hundred and fifteen to one hundred and two; motion to adjourn, rejected by yeas and nays—eighty-four to one hundred and two; and finally the main question, being for a simple reference to the Committee of Ways and Means, was carried by one hundred and thirty to ninety-eight.

20th. Morning visit from Judge Burnet, heretofore a member of the Senate from the State of Ohio, and Judge Pope, District Judge of the United States in the State of Illinois. They are here in attendance upon the Supreme Court. I saw by the morning papers that the funeral of Mr. Wirt was fixed to proceed from his late dwelling at twelve o'clock precisely, the hour of the meeting of the House. I went, therefore, with my son John, to the funeral, intending to follow the procession until it should pass by the Capitol, and there alight, to repair to my station in the House. But they barely met, read the journal, and adjourned at the motion of John Y. Mason, a member from Virginia, who mentioned the funeral of Mr. Wirt, and the wish of many members to attend it, as his inducement to make the motion. Warren R. Davis, of South Carolina, started an objection that there was no precedent; but it was not sustained. The House adjourned. The President, Vice-President, four heads of the Executive Departments, and Attorney-General were there. The funeral was managed by the members of the bar, and all the Judges of the Supreme Court were present; there were also many members of both Houses of Congress, and a large concourse of citizens. The procession went to the Eastern Branch burying-ground, and the body was deposited in the same vault where, but one week since, were laid the remains of Judge Bouldin. There was no religious service at the house, and only a short prayer at the grave, by Dr. Post, in which the only qualities of the deceased which he noticed were his piety and religious faith. It was near three o'clock when we reached home, and for the rest of the day I was unable to attend at all to anything of the multiplicity of business in which I was involved. I could think of nothing but William Wirt—of his fine talents, his amiable and admirable character, the

twelve years during which we had been in close official relation together, the scene when he went with me to the Capitol, his warm and honest sympathy with me in my trials when President of the United States, my interviews with him in January, 1831, and his faithful devotion to the memory of Mr. Monroe. These recollections were oppressive to my feelings. I thought there was due some public testimonial from me to his memory at this time. But Mr. Wirt was no partisan of the present Administration. He had been a formal and dreaded candidate in opposition to the re-election of Andrew Jackson; and so sure is anything that I say or do to meet insuperable obstruction, that I could not imagine anything that I could offer with the remotest prospect of success. I finally concluded to ask of the House to-morrow morning to have it entered upon the journal of this day that the adjournment was that the Speaker and members might be enabled to attend the funeral of William Wirt. I wrote a short address to the Speaker, to be delivered at the meeting of the House, and endeavored to concentrate in it allusions to the remarkable excellencies in the character of Mr. Wirt, in words as few as possible. It occupied me till near midnight, and left me still anxious lest I should say too little or too much, and still more so for the fate of my experiment.

21st. I was still unable to bestow a thought this morning upon any subject but that in which I was absorbed. I walked to the Capitol, and, being there an hour before the meeting of the House, I went into the library and consulted Mallet's History of Denmark, and Guthrie's and Malte-Brun's Geography. Before the House met, I asked the Speaker if the journal of the House would notice the decease of Mr. Wirt as being the occasion of the adjournment yesterday. He said, no. I asked him if he could not have it so entered upon the journal. He said, no. This I expected; and I asked him if he would object to my asking the unanimous consent of the House that the entry should be so made. He said, certainly not. Accordingly, when the House met, I made my proposal, and delivered my short address of five minutes. It concluded with saying that, as my proposal was not a fit subject for debate, if there should be an objection made to it I wished him to consider it as withdrawn.

The Speaker said he could not have the entry made without the authority of the House, and he should consider it as granted if he should hear no objection made to it. Joel K. Mann, precisely the rankest Jackson man in the House, said, no. There was a general call upon him from all quarters of the House to withdraw his objection, but he refused. Blair, of South Carolina, rose, and asked if the manifest sense of the House could be defeated by one objection. The Speaker said I had requested that my proposal should be considered as withdrawn if objection should be made, but that the House was competent to give the instruction upon motion made. I was then called upon perhaps by two-thirds of the voices in the House, "Move move—move"—and said I had hoped the proposal I made would have obtained the unanimous assent of the House; and as only one objection had been heard, which did not appear to be sustained by the general sense of the House, I would make the motion that the addition should be made which I had proposed in the journal. The Speaker took the question, and nine-tenths at least of the members present answered aye. There were three or four who answered no; and no division of the House was asked. The reporters of the three newspapers immediately applied to me for copies of my address to the Speaker, and I gave the very draft that I had made last evening to Mr. Gales, who promised to have a proof of it set in type for the National Intelligencer of to-morrow, and ready for my revisal at the adjournment of the House. My anxious feeling was relieved.[1]

26th. The Indian Department Appropriation bill was the unfinished business of yesterday, and was immediately taken up; and James McKay, of North Carolina, now moved that it should be recommitted to the committee of the whole on the state of the Union, for discussion and amendment. This was strenuously resisted by Polk, the Chairman of the Committee of Ways and Means, and kindled a fiery debate of three hours. McKay insisted that there were several items of the appropriations not warranted by law nor by treaty, and particularly that there was an item of twenty-one thousand dollars which was included both in this and in the Indian Annuity Appro-

[1] Benton's Abridgment, vol. xii. p. 433.

priation bill. This was at first positively denied; but McKay repeated the charge, and produced proof of its truth from a manuscript tabular statement which had been furnished to the Committee of Ways and Means from the War Department.

Polk could reply by nothing but generalities and assurances that the amount of the appropriations was less than it had been last year. Cambreleng, McKinley, Beardsley, and Sevier, the delegate from Arkansas, endeavored to sustain Polk against the recommitment, which was now assented to by Horace Everett, of the Indian Committee, and urged by Fillmore, A. G. Hawes, C. F. Mercer, L. Williams, Vinton, Coulter, and Wilde, of Georgia.

The debate became exceedingly personal. Beardsley, of New York, to rally the party feeling, threw out a suspicion that there was insidious design lurking under the motion for recommitment, and that there was a project for tacking to some Appropriation bill a recharter of the Bank of the United States.

In making this remark, he pointed particularly to Coulter, of Pennsylvania, who was in high spirits, and who replied with great indignation, and no measured use of epithets, closing with a general remark, that any man capable of imputing dishonest motives to others without evidence to support him could be no other himself than a *rascal*—a word which he pronounced with an emphasis quite electrical.

Wilde, of Georgia, who felt annoyed by Beardsley's insinuations, answered him with more polish, but with equal keenness of edge; and Mercer said he would not reply to him were it only from motives of mere humanity. Beardsley turned upon Mercer and Wilde with retorted scorn, but somewhat bewildered aim; and he disclaimed any intention of imputing insidious purposes to Coulter. The debate closed by a declaration of Coulter, that if the gentleman from New York was satisfied, he was so. He wished it only to be understood that no man should tread upon his toes without his levelling at least a lance at him.

The question was taken by yeas and nays, and the bill recommitted to the committee of the whole on the state of the Union by a vote of one hundred and six to one hundred and three.

27th. On passing to the orders of the day, C. F. Mercer obtained a suspension of the rule to take up a bill from the Committee of Roads and Canals, of which he is Chairman, for building a bridge across the Potomac. There were two motions of reference—one to the committee of the whole on the state of the Union, the other to the Committee on the District of Columbia, of which Joseph W. Chinn is Chairman. There had already been some debate on this question, and it was now renewed, and continued for about two hours. The speakers were Mercer, Rencher, McKennan, Fillmore, and McDuffie for reference to the committee of the whole on the Union, and Chambers, Stewart, Stoddart, and Wayne for the District Committee.

The House decided for the committee of the whole. Next came an engrossed bill, to provide for the settlement of certain Revolutionary claims, which, like many others, had crept to the third reading without opposition, and apparently without observation. It was now opposed by Franklin Pierce, a new member and young man from New Hampshire, who spoke about half an hour very handsomely against it. He was followed on the same side by Aaron Vanderpoel, from New York, who has been impatient on various occasions to obtain the floor. He had spoken for about ten minutes, when, without finishing, he gave way to a motion to adjourn, about four.

28th. Mr. Edward Everett brought me a letter from Caleb Cushing, a Royal Arch Mason, and member of the Massachusetts Legislature, to Mr. Webster. This gentleman had written to enquire what was the reason of their delay to act upon the resolutions respecting the distress and removal of deposits and recharter of the Bank of the United States.

Cushing answers, bitterly complaining that they are paralyzed by the Anti-Masons, who upon all occasions vote with the Jackson party, and enquired if I could not do something to heal this breach. I said I had done everything in my power, and if anything had been done to conciliate the Anti-Masons they would have met every advance in the same spirit. But Mr. Cushing must look to himself and his party for the failure of all my endeavors to conciliate. I had given fair notice and

warning both to Governor Davis and Mr. Webster, from both of whom I had received encouraging assurances of conciliation to the Anti-Masons, instead of which every possible thing had been done to fret and exasperate them: all their candidates for the Senate had been swept off the board; not one Anti-Mason had been elected to the Council; a fraudulent law against unlawful oaths was now in concoction to baffle and deceive them; and just now the Senate had refused to grant to the joint investigating committee the power to send for persons and papers; and now their aid was implored to pass National Republican resolutions in favor of the bank. It was impossible for me to do anything more with them, and I did believe they would go over to Jacksonism. I had done all I could to prevent it, but in vain.

March 4th. Edward Everett gave me to read a letter from Caleb Cushing, a Royal Arch Mason, and member of the Massachusetts Legislature. It says that some of the members of the Legislature wish that the Legislative resolutions on the currency should be presented to the House of Representatives here by Governor Lincoln, and asks Everett to give explanations to me to make it acceptable. He says Governor Davis has promised to write to Grennell (a Mason) about it; but that it must not be thought Governor Lincoln desired it, and that it was first proposed by a person who had a great respect for me.

I asked Everett if he had any explanation to give me to make it acceptable to me. He said, none, and that he had even hesitated whether he should show me the letter.

I said the reason given by Mr. Cushing did not appear to me to be sufficient. If there were some members who wished they might be presented by Governor Lincoln, I supposed there were others who would prefer that they should be presented by me, and if the former were a majority, they might pass a resolution that they should be presented by him. Everett said they certainly would not do that. I said I had, at the request of the whole delegation, presented the resolutions of the Legislature at the last session of Congress, and I presumed it would be generally expected that I should present these, rather than an entirely new member; but I was perfectly willing the delega-

tion should determine by whom they should be presented. He said he thought that would be the proper course, and that he himself thought they ought to be presented by me.

8th. I gave a sitting of about an hour to Rembrandt Peale, who is painting my portrait. It was abridged by the coming in of Mr. George W. Lay, the member of the House from Batavia, New York, with Mrs. Lay, whose portrait Mr. Peale is also occupied in painting. I gave way, of course, and went to the library at the Capitol, where I consulted Pope's Iliad for the lines in which Hector expresses the sentiment that it is the duty of friendship to share in the resentments as well as in the love of the friend:

> "A generous friendship no cold medium knows,
> Burns with one love, with one resentment glows.
> One should our interests, one, our passions, be:
> My friend must hate the man that injures me."

I consulted also Leland's Demosthenes for the sentiment that abuses of government are usually discovered by impulses of private enmity; which is as true in these days as it was at Athens in her oratorical days.

I walked home, and on my way met Mr. Philip Hone, of New York, and afterwards Mr. Huntington, the member of the House from Connecticut, with Mr. Elihu Chauncey, of Philadelphia. Mr. Hone and Mr. Chauncey are here as members of deputations from memorialists of their respective cities upon the Bank and Deposit controversies.

I dined with Mr. John C. Calhoun at Dowson's. Mr. Preston, the other Senator from South Carolina, and his wife, were there—the lady in delicate health—Mangum, of North Carolina, Southard, Sprague, of Maine, and John H. Fulton, a member of the House from Virginia. After dinner came in Benjamin Watkins Leigh, Senator from Virginia, Samuel McDowell Moore, of Virginia, Dixon H. Lewis, of Alabama, and Warren R. Davis, of South Carolina, members of the House. The company sat late at table, and the conversation was chiefly upon politics. The company are all at this time adversaries of the present Administration—most of them were adversaries to

the last. General Taylor, of Ohio, a lodger at Dowson's, was also of the party.

9th. In the interval between the services I had visits from Chief-Justice Marshall and Judge Story, and also from the Commandeur Torlade d'Azambuja, Chargé d'Affaires of the usurper Don Miguel of Portugal. He arrived here just before the close of the last Administration, and was received as the representative of the Government de facto of Portugal by President Jackson very shortly after his inauguration. He visited me first at Meridian Hill, and has repeated his visits once at least every winter from that time. Don Miguel is now expelled from his throne and from his country. Mr. Torlade professes to believe in the doctrine of the sovereignty of the people. He entertains the opinion that, according to the Portuguese Constitution, Don Miguel is the rightful sovereign of the kingdom, and also that he is the preferred favorite of the people of Portugal. But his elder brother, Don Pedro, who was some time Emperor of Brazil, but finally left that country and returned to Europe, abdicated the crown of Portugal in favor of his daughter Donna Maria de Gloria, and, as Regent of the kingdom, succeeded in expelling Don Miguel, with the aid of his alliance with Great Britain. Mr. Torlade's present situation here is an uncomfortable one. He is a sensible and seems to be a very good man—worthy of a better master and a better fate.

10th. This was the regular day for the reception of memorials and petitions, but the Speaker gave the floor to James H. Gholson, of Virginia, to make a speech in opposition to that of John M. Patton, made last Monday, against the resolutions of the Legislature of Virginia, which had been presented by William F. Gordon. I asked the Speaker to allow the States to be called over for petitions and memorials, stating that I had resolutions of the Legislature of Massachusetts to offer, and promising not to consume the time of the House in debating them. Gholson offered to suspend his remarks to give me an opportunity to present the resolutions of the Legislature of Massachusetts, but Samuel McDowell Moore objected, and came to my seat to tell me that they *must* get out their speeches in

reply to Patton. The elections to the Legislature of Virginia are to take place in the course of the next month, and the influence of Patton's speech upon them is so terrific that it must be counteracted or all will be lost. Gholson therefore proceeded till near two o'clock, and was followed by McDowell Moore—both speeches to sustain the resolutions of the Legislature of Virginia, but both shackled by their Jeffersonian creed. Then succeeded H. L. Pinckney, of South Carolina, in defence of his State against Patton's charge of rashness in her recent councils and measures. Pinckney talks much nullification, and indulges himself in bitter invective against Andrew Jackson. All the members of the House from South Carolina, excepting one, are of the nullification school, and so fanatical in their devotion to it that they cannot resist the temptation to introduce it into all their speeches, the consequence of which has been the forfeiture of every particle of their influence in the House. Pinckney, who is a very able and eloquent and pious man, raved till half-past three o'clock, when the House adjourned, leaving his speech unfinished.

11th. Clayton, of Georgia, gets the floor upon Mardis's resolution two minutes before the expiration of the hour, and asks permission to continue. Polk objects, but the House, by vote, refuse to proceed to the orders of the day. Clayton proceeds and finishes. In this speech Mr. Clayton made a frank and generous acknowledgment that he had done wrong in his report on the bank investigation of 1832. He expressed his regret that he had indulged himself in personal reflections, injurious to fair and honorable men, in that report, and, without naming any one in particular, made an apology to all whose feelings may have been wounded by it.

After he finished, Burges claimed the floor, but Polk moved to take up the Military Appropriation bill, and succeeded. The House went into committee of the whole on the state of the Union—Wayne in the chair. James J. McKay, of North Carolina, moved sundry reductions of the appropriations, but without success. The committee, after getting about half through the bill, rose and reported progress. About four o'clock the House adjourned.

I dined with Benjamin Gorham and Edward Everett. Calhoun, Clay, Preston, Governor Lincoln, Commodore Morris, Mr. Torlade, Adams and Buchanan, of the British Legation, were there, and Mr. Silsbee. The Senators came in late. The President this day sent a message to the Senate renominating the Government Directors of the Bank of the United States who had been rejected by that body on the previous nomination. He intimates that if the reasons of the Senate for rejecting them were their conduct as Directors last year, he could not in conscience nominate any person who would not act in the same manner, and threatens to leave the places vacant by making no nomination. The Senators who were of our dinner-party were in a state of high excitement.

12th. James K. Polk, Chairman of the Committee of Ways and Means, to whom I had given the letter from the Post-master-General recommending that provision should be made for a post-office, together with the custom-house, at Plymouth, returned me the letter, and said that the Committee of Ways and Means approved of the object, but declined proposing an appropriation, as I had requested, because the bill for erecting the custom-house was reported by the Committee of Commerce. He said he should propose to the House to postpone the report of the Committee of Ways and Means on the Deposit and Bank questions till next Tuesday, and would not object to suspend the rule to allow me to present the resolutions of the Massachusetts Legislature.

At the meeting of the House, he moved that the report and resolutions of the Committee of Ways and Means, which had been made the special order for this day, should be postponed till next Tuesday. Wilde, of Georgia, objected, and said that he was ready and desirous to address the House upon the subject now. A debate of two hours ensued, till Wilde withdrew his opposition to the postponement. McKennan, of Pennsylvania, moved that the postponement should be till next Tuesday week; but this the House refused, and voted the postponement till next Tuesday.

I then asked leave to present the resolutions of the Legislature of Massachusetts. Objection being made, I moved the

suspension of the rule for that purpose, which the House refused to grant. Polk then moved a resolution to make the Deposit and Bank report the special order for every day at one o'clock from next Tuesday till the decision of the House upon the resolutions, Saturdays excepted, and Mondays for the reception of memorials and petitions. I objected to the reception of this motion, and Polk moved and carried a suspension of the rule that he should make it.

The Speaker said the resolution must lie over one day; upon which Polk moved a suspension of the rules again, that his motion might be considered *now*, and just carried it by two-thirds—one hundred and fifteen to fifty-six. I opposed the resolution, and an amendment to it was moved by Vinton, of Ohio; but the Speaker and the party had settled it otherwise, and Polk's motion was accordingly driven through the House, with the exception only of the Saturdays and Mondays.

I dined with Colonel Robert B. Campbell, of South Carolina, at his lodgings, at Gadsby's. There was a party of upwards of thirty persons, including the whole delegation from South Carolina in both Houses of Congress. James Blair, one of the members, is deeply at variance with all the rest, being the only Unionist and Anti-Nullifier of the delegation. He was reserved and silent. Colonel Campbell introduced to me Henry Laurens Pinckney, the new member from Charleston, who takes the place of Colonel Drayton. He is one of the most ardent of the Nullification party. He spoke with much indignation of the Speaker, Stevenson's, partiality this morning, to which he justly attributed the rejection of my motions for leave to present the resolutions of the Legislature of Massachusetts.

13th. General Aaron Ward, of New York, showed me a letter to him from Stevenson, the Speaker, who has written some verses in Ward's daughter Emily's album. There was a flattering compliment to my verses in the same album; which, as flattery always breeds good nature, I took as kindly intended in Stevenson, and thought he meant it as an atonement for his rough usage of me in the House.

15th. The rule of private business was suspended, and the Army Appropriation bill was taken up and passed. Then the

rule was again suspended, and Speight's joint resolution, with an appropriation, was taken up at the third reading. There was an amendment proposed by Speight, to strike out the whole resolution and turn it into a mere resolution of the House, directing the payment to be made from the contingent fund of the House. The Speaker pronounced this not in order. Foster, of Georgia, moved that the resolution be committed to the Committee on the Library, with instructions to enquire the amount of the cost of the books to be purchased under the resolution. I opposed the commitment of the resolution, on the ground that the resolution itself was unconstitutional, as containing an appropriation. The Speaker pronounced me not in order, and after some contest I submitted to his decision. Foster asked for the yeas and nays upon his motion, but they were refused, and his motion was rejected.

Speight's amendment then came up, and the Speaker said I might now make my objection. I did object the unconstitutionality of an appropriation of money by a joint resolution.

Speight replied by renewing the proposition to convert the joint resolution into a separate one and direct the payment from the contingent fund of the House.

McDuffie moved that it should remain a joint resolution, striking out the appropriation; but this was rejected.

Pinckney, of South Carolina, moved the indefinite postponement of the subject, which was also rejected by yeas and nays—seventy-eight to one hundred and fourteen.

McDuffie moved an amendment, that the volumes of the Register of Debates furnished to the members should be deposited in the library when the present members retire, for the use of their successors; rejected.

Polk, who opposed the resolution, read a statement which he had procured from Walter Lowrie, Secretary of the Senate, of their contingent expenses for the present session, which he represented as enormous.

I remarked sharply upon the impropriety of a member of one House of Congress applying privately to the Clerk of the other for statements to raise charges against the House itself to which the Clerk belonged; and asked what the House would think

if an individual Senator should apply to our Clerk for statements of our expenditures of the contingent fund, and should read those statements in the Senate to support a charge of extravagance against the House.

Polk was so ashamed of what he had done that he made no reply; but the joke was, that his statement produced the directly opposite effect to what he intended, and promoted the passage of the resolution. It passed as a separate resolution—payment to be made from the contingent fund of the House.

I thus succeeded in preventing the passage of a joint resolution with an appropriation. But Stevenson, the Speaker, from ignorance or carelessness, had suffered it to go to a third reading, even without reference to a committee of the whole, and when I asked him whether an appropriation could be made by resolution, answered, yes! Upon such slender threads hang the vital principles of our Constitution.

17th. When Massachusetts was called, I presented the resolutions of the Legislature upon the currency and the removal of the public deposits from the Bank of the United States, with a very few remarks, touching somewhat personally upon the President; and I moved that they should be read, printed, and laid on the table, to be referred to a select committee, with instructions to report a plan for continuing to the people the advantages resulting from a National bank.

Polk started up and fell into an idolizing and mawkish glorification of Doctor Andrew Jackson, with some coarse and equally dull invective against me.

I rose, and said I should not reply to his speech, and gave notice once for all that whenever any admirer of the President of the United States should think fit to pay his court to him in the House, either by a flaming panegyric upon him or by a rancorous invective upon me, he should never elicit one word of reply from me.

> "No! let the candied tongue lick absurd pomp,
> And crook the pregnant hinges of the knee,
> Where THRIFT may follow fawning."

Polk shrunk back abashed into his shell, and said not a word.

The lines from Hamlet struck the House like a spark of electricity, and D. J. Pearce said to me, laughing, that if Polk had not enough of that he was too unreasonable.

20th. Mr. Burges continued his speech upon Mardis's resolution till one o'clock, when the special order of the day was called, and Henry L. Pinckney made his speech in favor of Wilde's proposed amendment to the first of the four resolutions reported by the Committee of Ways and Means. While Pinckney was speaking, James Blair, of South Carolina, came and took a seat near and in face of him, looking steadily and intently at him for some time. And at the moment when Pinckney said that the whole South was united against the removal of the deposits, Blair, with a loud voice, exclaimed, "*It's a lie!*"

There was a momentary pause. Pinckney stopped, and said, "I claim the protection of the House." No movement was made by the House. One of the members friendly to Blair went round to the seat where he was, and whispered to him, upon which Blair rose and went with him out of the House. Pinckney had already resumed his speech, which he concluded without appearing to have been at all disconcerted by this singular interruption. Blair is an honest and very intelligent man, ruined by habits of intemperance and maddened with opium.

21st. At the House, upon the motion of William H. Ashley, of Missouri, the committee of the whole House were discharged from the consideration of two bills which had been referred to them—one for the continuation of the Cumberland Road from the river Mississippi to the city of Jefferson, in the State of Missouri, and one for the survey and location of the Cumberland Road from Vandalia, in the State of Illinois, to the Mississippi; and the bills were committed to the committee of the whole House on the state of the Union. There is, by the rules of the House, a distinction between a committee of the whole House and a committee of the whole House on the state of the Union—the latter being reserved for subjects considered of the highest importance. It is always in order to move to go into committee of the whole on the state of the Union, and it always has precedence in point of time over the ordinary committees of the whole House. The practice with the ordinary

routine of bills, when they are reported, is to read them a first and second time by their titles, which is a constructive reading, and refer them to the committee of the whole House, and make them the order of the day for *to-morrow*. But this to-morrow, for multitudes of bills, never comes. It is to-morrow, and to-morrow, and to-morrow; for the bills thus referred must, when the House go into committee of the whole, be taken up in the order of their commitment, and there are many which the committee never reach. Ashley's motive, therefore, in getting the two bills transferred from the committee of the whole House to the committee of the whole House on the state of the Union, was to obtain for them a chance of being considered at the present session of Congress. This Cumberland Road, from Vandalia, in the State of Illinois, to the Mississippi, and from the Mississippi to the city of Jefferson, in the State of Missouri —how it sounds! what a demonstration of the gigantic growth of the country, in population and in power, is contained in these few words! and how insignificant in comparison with them is the subject which occupied the whole time of both Houses of Congress this day! In the House, Mr. Burges consumed the first hour with another driblet of his speech upon Mardis's resolution. Then George R. Gilmer, of Georgia, made a speech of an hour and a half against the amendment proposed by his colleague, Wilde, to the first resolution reported by the Committee of Ways and Means. After which C. C. Clay, of Alabama, took the floor, and the House adjourned. I went into the Senate-chamber, and heard Thomas H. Benton, of Missouri, till four o'clock.

25th. The Speaker laid before the House a letter from Lieutenant Uriah P. Levy, of the navy of the United States, offering as a present a colossal bronze statue of Thomas Jefferson, executed at Paris by the celebrated David and Honoré Gonon, which communication was referred to the Committee on the Library. At one the special order of the day was called, and C. C. Clay made a speech of two hours against Wilde's amendment and to the glorification of President Jackson. He was personally abusive upon Wilde and upon me. Clay is a man of some talent and of much activity and perseverance, a fluent

speaker, of very little power, but making up the deficiency of substance by the ardor of his zeal. So it is with almost all the Jackson leaders in the House. After Clay had finished, about three o'clock, the House adjourned. Mr. William Clarke, of Pennsylvania, proposed to me to attend a meeting of the Anti-Masonic members of the House, at which Mr. Granger, of New York, now in the city, will be present, and that the meeting should be in the chamber of the Committee of Manufactures—for which I named next Thursday evening at seven o'clock.

27th. At seven in the evening I attended the meeting of the Anti-Masonic members of the House of Representatives, which was transferred from the chamber of the Committee of Manufactures to that of the Committee of Foreign Affairs. There were present John Banks, William Clarke, Harmar Denny, and William Heister, of Pennsylvania, John Dickson, Millard Fillmore, Philo C. Fuller, Abner Hazeltine, Henry C. Martindale, and Frederic Whittlesey, of New York, Jonathan Sloane, of Ohio, William Slade, of Vermont, and William Jackson, of Massachusetts. I was chosen Chairman of the meeting, which had been agreed upon by the members from New York and Pennsylvania. Its purpose was to hold a consultation upon the present condition and prospects of the Anti-Masonic cause in the several States where it has partially prevailed, and to enquire whether any concert of measures might be advisable for its promotion. The occasion of the meeting was the presence of Mr. Granger, of New York, in the city; and he was present at the meeting. Nothing special was proposed, but Mr. Granger was requested to give a statement of the condition of Anti-Masonry in the State of New York, and especially in that part of it where he resides. He said that in all the western counties of New York Masonry was extinct; the lodges and chapters were all abandoned, and almost all of them formally dissolved; that the spirit of Anti-Masonry had consequently subsided—there was no adversary left to contend with, and as a distinctive party there could scarcely be said to be any Anti-Masonry left. If the Freemasons should attempt to revive their institutions in those counties, he had no doubt the Anti-Masonic spirit would instantly revive with as much zeal and ardor as it had ever

manifested. But Masonry was no longer a subject upon which there was a conflict of opinion to stimulate exertion, and as a distinct principle it would be utterly impossible to maintain a mere Anti-Masonic party. The members of the House from the State of New York all agreed that this was perfectly in harmony with the prevailing sentiments of their constituents. All were of opinion that it would be impossible to maintain any longer in that State a distinct organized Anti-Masonic party. The members from Pennsylvania appeared to be not quite so much discouraged; but none of them entertained any expectation that the party would obtain a majority of the people of the State. After a desultory conversation of between two and three hours, the meeting was, by common consent, adjourned, to meet again on Tuesday, the 15th of April, at seven in the evening, and at the same place.

28th. I offered a resolution to call upon the Secretary of the Treasury for returns relating to the deposit banks. The resolution was received by unanimous consent. I asked the House to consider it now. Objection was made by James M. Wayne, of Georgia. Jesse Speight, of North Carolina, said there was a document laid on our tables this morning containing the information that my resolution required. I answered that it did not. After some discussion, I consented that the resolution should lie over till to-morrow and be printed, with the understanding that it shall then be taken up. Some other resolutions were introduced. Then Chilton Allen talked out the remnant of the hour upon Mardis's resolution. And then, on Wilde's amendment, Choate spoke an hour and a half, arguing to the majority, friends and supporters of the Administration, that the restoration of the deposits is a measure of high interest and true policy *to them*. It was the most eloquent speech of the session, and in a course of reasoning altogether impressive and original; but seed sown at broadcast, which will take no root in the soil. Choate is a young man of great power and promise, whose political career has been short but brilliant. His health is indifferent, and he has a cadaverous look. He proposes to resign his seat in Congress, which interferes too much with the profits of his practice at the bar. He was this day followed by

Philemon Dickerson, of New Jersey, for about three-quarters of an hour; in every respect a contrast to the eloquence of Choate—dulness personified. Hardin, of Kentucky, obtained the floor, and moved an adjournment, as a personal indulgence to himself, not being prepared with his documents. Adjourned by yeas and nays—eighty-two to sixty-nine.

The Senate this day took the questions on two resolutions offered by Henry Clay, of Kentucky: 1. Censuring the President of the United States for usurpation of power in his late measures—passed by a vote of twenty-six to twenty. 2. That the reasons of the Secretary of the Treasury for removing the deposits are insufficient—twenty-eight to eighteen. Chambers, of Maryland, and Bell, of New Hampshire, absent. They would have voted for both the resolutions. The first of these resolutions ought, in my opinion, not to have passed; and I gave it very fully and with much earnestness to Nathaniel Silsbee and to Samuel L. Southard, who at different times consulted me concerning it. They did, nevertheless, both vote for it, under the domineering influence of Mr. Clay.

29th. Morning crowded with researches for information upon the subjects of discussion before the House; at the meeting of which, immediately after the reading of the journal, I called up my resolution, which I modified by adding to it the resolution that I offered on the 6th of this month, as follows: "Resolved, That the Secretary of the Treasury be directed to lay before this House copies of the charters of all the banks selected by him as depositories of the public moneys in the place of the Bank of the United States and its branches, together with the names of the presidents, cashiers, directors, and stockholders in the said selected banks, and the names of the lawyers and solicitors, with the amount of stock in said banks held by each stockholder, and the amount of debt due by each president, cashier, and director of each of the banks to the said bank at the time when it was selected as a depository, and at this time; and that the Secretary of the Treasury be directed to report to this House a statement of all the sums denominated in the Treasury accounts unavailable funds, specifically designating the several banks or individuals indebted to the Treasury therefor, the

time when each debt first became due, the time when failure of payment thereof first occurred, the security, if any, which the public have for payment thereof at any time, and the prospect of such eventual payment."

This resolution now engaged a debate which absorbed the House, and was left unfinished. The names of the lawyers and solicitors were introduced at the motion of John Ewing, of Indiana; accepted by me. James Harper, of Philadelphia, moved as an amendment, to strike out the call for the debts of presidents, cashiers, and directors to the banks. Wayne and McKinley opposed my resolution in whole and in its parts. Speight, of North Carolina, and Mann, of New York, supported it; also R. H. Wilde, of Georgia. Harper finally withdrew his proposed amendment. The hour expired. The orders of the day were called.

30th. After dinner I attended at St. John's, where the evening service for Easter-day was read by an Irishman, I believe, named McCalla, who preached from 2 Peter ii. 20: "For if after they have escaped the pollutions of the world through the knowledge of the Lord and Saviour Jesus Christ, they are again entangled therein, and overcome, the latter end is worse with them than the beginning." In this discourse there was no reference made to the festival of the day, which would seem of all other days in the year to be most highly deserving of a celebration with religious fervor by the Christian. In Roman Catholic countries and in the Greek Church it is solemnized with the most animated devotion, and, as the day of the resurrection of the Saviour, is more emphatically the Christian's day than that of His birth, which is not very precisely ascertained, and, if it were, could only be commemorated as the day of promise, while that of Easter is the day which consummated life and immortality. The resurrection of Christ was the accomplishment of the purposes for which He came into the world. Its extraordinary and mysterious connection of coincidence with the Jewish Passover gives it great additional interest; and the occasion it has given for ascertaining to the minutest second of time the extent of the annual revolution of the earth round the sun has made it important

to the scientific history of astronomy. For these reasons I have regretted that in the general abolition of religious holidays by the Protestant churches of the purest doctrine they have not made an exception for this day, with which I would also have included Christmas-day.

In this country the Catholics, and especially the Episcopalians, keep Christmas with much more earnestness than Easter; the cause of which may be that Christmas is a day for feasting and Easter is not. The mince-pies and plum-puddings of the Christmas dinner form, for the great multitude of worshippers, the keenest incentive to their piety and the most rapturous of their ecstasies.

31st. Tristram Burges presented a memorial and a letter from Paterson, New Jersey, with a speech; then memorials from the towns of Cumberland and Smithfield, and from the village of Woonsocket, Rhode Island; upon which Dutee J. Pearce presents letters from Olney Ballou, and another from William Whipple, a third from Nathan White, and a fourth from Richmond Bullock, all tending to cast doubts upon the fairness of the memorials presented by Burges. This rouses a furious altercation between Burges and Pearce, in which the retort courteous, the quip modest, the counter-check quarrelsome, and the lie with circumstance were bandied between them till four o'clock, when the House adjourned.

April 2d. James Blair, a member of the House of Representatives from South Carolina, shot himself last evening at his lodgings at Dowson's, No. 1, after reading part of an affectionate letter from his wife to Governor Murphy, of Alabama, who was alone in the chamber with him, and a fellow-lodger with him at the same house.

At the meeting of the House, George McDuffie announced the decease of Mr. Blair, alluding to the catastrophe of the death of Thomas T. Bouldin, and said that the decease of Mr. Blair had been equally sudden. He expressed his disapprobation of the practice of pronouncing panegyrics upon members who have ceased to live, and are beyond the reach alike of censure and of praise; that panegyrics were useless to those to whom the person was known, and uninteresting to those

who knew him not. He moved that the usual resolutions on similar occasions should be adopted; that the members of the House would attend the funeral at four o'clock this afternoon; that they would testify their respect for the memory of James Blair by wearing crape thirty days; that a message be sent to the Senate announcing the event, and that a committee of arrangements be appointed to superintend the funeral. The House then adjourned.

Poor Blair! The indifference and insincerity of McDuffie's remarks were as unfeeling as if his heart had been of marble. There is a gloomy churlishness in the character of McDuffie averse enough to panegyric; but if Blair had been of his own political party he would have lauded him to the skies. Blair was a man of amiable natural disposition, of excellent feelings, of sterling good sense, and of brilliant parts, irredeemably ruined by the single vice of intemperance, which had crept upon him insensibly to himself till it had bloated his body to a mountain, prostrated his intellect, and vitiated his temper to madness. He had paid three hundred dollars fine for beating and breaking the bones of Duff Green because he had charged the Union party of South Carolina with being Tories; he had discharged a pistol at an actress in the theatre at Washington, from one of the boxes; he had within the last ten days given the lie to Henry L. Pinckney while speaking in his place in the House of Representatives; and he was in the constant habit of bringing a loaded pistol with him to the House. The chances were quite equal that he should have shot almost any other man than himself. Yet he was one of the most kind-hearted men in the world, a tender and affectionate husband and father, and has left a wife devoted to him, and children to whom his death is perhaps a blessing. It was, no doubt, a difficult task for McDuffie to announce his decease to the House in an appropriate manner; but the expedient of evading all note of sympathy with the feelings of his friends, by an affected and hollow pretence of dislike to all obituary panegyric, was not felicitous.

Half an hour after the adjournment of the House, I went into the Senate-chamber, just as Mr. Preston, of South Caro-

lina, was moving their adjournment. I went home, and at four P.M. returned to the Capitol. The funeral service was performed by the two Chaplains of the two Houses. The Episcopal service was not read. It is, by the principles of that Church, interdicted in cases of suicide. I went to the cemetery near the navy-yard in a carriage with Jeremiah McLane, of Ohio, and two other members of the House. There was a short prayer made by Mr. Hatch at the common vault. I returned in the hack with my associates to the Capitol, and thence home in my barouche.

3d. Morning visit from Hiland Hall, of Vermont, with a Mr. Hastings, of Albany, New York, one of the delegation from the memorialists of that place. Mr. Hastings told me that he was at the President's last Saturday, with Job Pierson, of the State of New York, and that the President asked him when the House would take the question upon the deposits. Pierson told him, in the course of this week. The President said to him, the sooner the better; that Congress had been talking four months on the subject and making panic speeches; that talking longer upon it would only work further mischief, and that if the House would decide the question, in one week after nothing more would be heard of suffering and distress.

Hall told me that the Administration party intended to put the previous question on the resolutions reported by the Committee of Ways and Means this day. At one the standing order of the day, the resolutions of the Committee of Ways and Means, and Wilde's amendment, was taken up. Hardin spoke an hour and a half, and finished. George McDuffie succeeded, and, after speaking about an hour, gave way to a motion of adjournment, made by William S. Archer, which was carried by yeas and nays—one hundred and eighteen to eighty-four. Aaron Ward, of New York, told me they allowed this day to pass without taking the previous question on account of the unexpected loss of yesterday.

4th. From twelve to one, William Baylies, and, after him, John Cramer, of New York, discoursed upon the Pension Commutation bill; but a motion was made by George R. Gilmer that the bill be recommitted to the committee of the whole on

the state of the Union. Pending this motion, one o'clock came, and with it the special order of the day. McDuffie resumed the floor on Mr. Wilde's amendment to the resolutions on the Bank and Deposit questions, reported by the Committee of Ways and Means. He spoke till near four o'clock.

At the moment when he ceased, of which he had given me a previous signal, I addressed the Speaker with a very loud voice; so did also two or three other members, one of whom was John G. Watmough, whose purpose only was to obtain the floor to resign it to me. The Speaker, however, gave the floor to John Y. Mason, of Virginia, who, after a short speech, moved the previous question, concerted beforehand out of the House, and which the whole House knew was to be moved and carried this day. There was a small majority of the House to second the previous question.

Vance, of Ohio, moved to adjourn. Lost, by yeas and nays —one hundred and three to one hundred and nineteen.

Chilton, of Kentucky, moved that the first resolution reported by the Committee of Ways and Means should be laid on the table—that the Bank of the United States ought not to be rechartered. Rejected by yeas and nays—eighty-two to one hundred and thirty-six.

Burd moved that the second, third, and fourth reported resolutions lie on the table. Barringer called for a division of the question—first upon the second and third, and then on the fourth.

On the second and third the motion was rejected—ninety-five to one hundred and twenty-five—and Burd withdrew his motion with regard to the fourth resolution.

The previous question was then put, and carried by yeas and nays—one hundred and fourteen to one hundred and six.

The Speaker decided that by the "Lex Parliamentaria" the main question cut off all proposed amendments, and was upon all four of the resolutions reported by the Committee of Ways and Means, although a separate question might be taken upon each of the resolutions.

Mr. Wilde entreated the courtesy of the House to take the question upon his amendment. Rejected.

The question was taken by yeas and nays upon each of the resolutions separately. The first—that the Bank of the United States ought not to be rechartered—was carried—one hundred and thirty-four to eighty-two, all the South Carolina members except McDuffie, and all the Georgia members except Wilde, voting for it.

The second resolution—that the public deposits ought not to be restored to the Bank of the United States—passed by a vote of one hundred and eighteen to one hundred and three. Burges lost his vote, being doubtful whether he was within the bar when his name was called. He asked to vote, and I moved a suspension of the rule to allow him to vote, but there were not two-thirds so indulgent, and he lost his vote.

The third resolution—that the State banks should be continued as depositories, and that Congress should further regulate the subject by law—passed—one hundred and seventeen to one hundred and five.

The fourth resolution—directing the appointment of a select committee for a bank investigation, with power to visit the bank and any of its branches—was adopted by one hundred and seventy-five to forty-two—the most exceptionable of all the resolutions by the largest vote.

The committee appointed were Thomas, of Maryland, Edward Everett, Muhlenberg, of Pennsylvania, Mason, of Virginia, Ellsworth, of Connecticut, Abijah Mann, of New York, and Robert T. Lytle, of Ohio. Thomas of Louisiana moved that the House should adjourn over to Monday; which was carried.

Wilde made another effort that the rule be suspended to enable him to offer again his resolution that the reasons assigned by the Secretary of the Treasury for removing the deposits are insufficient and unsatisfactory. But Polk moved the House to adjourn, and the vote was carried. The Speaker declared the House adjourned. But, upon an objection made, he proceeded as if the House was yet in session.

I asked him if the House was adjourned or not.

He said he had been *about* to adjourn, but did not declare the House adjourned.

I insisted that I had heard him declare the House adjourned.

He said he had been eight hours in the chair, was very unwell, and scarcely knew *what* he had done.

This entirely disarmed me. The vote for adjournment was one hundred and twenty-four to seventy-three—about eight o'clock P.M. It was near nine when I got home, utterly exhausted, and equally dispirited and desponding. The thought that an American House of Representatives should pass such a resolution as the fourth reported by the Committee of Ways and Means mortifies me beyond expression. There was nothing more arbitrary or tyrannical in the domiciliary visits of revolutionary France. It proves how feeble even in this country are all the principles of freedom in collision with a current of popular prejudice or passion.

5th. I went to the office of the National Intelligencer, and enquired of Mr. Gales when he would publish the speech I had intended to make yesterday, and which was cut off by the previous question.

He said if I could let him have it next Monday it should be published in the paper of Thursday.

While I was with him, Mr. Clay, and Mr. Preston, of South Carolina, came in together, upon which I retired, and all the remnant of the day and evening was absorbed in arranging the fragments of manuscript of my speech and in preparing the extracts of the citations which I was to adduce.

Received visits from Governor Lincoln, and from Elisha Whittlesey, of Ohio, one of the worthiest, most intelligent, and most laborious members of the House, Chairman of the Committee of Claims, and a most conscientious and indefatigable performer of his duty.

7th. At the House, it being the weekly day for receiving memorials and petitions, I found Dutee J. Pearce, of Rhode Island, presenting petitions from that State against the Bank of the United States and against the restoration of deposits. The call for the States was carried from Rhode Island southward through the Union—States and Territories. One hundred and forty-eight memorials, petitions, and authenticated proceedings of public meetings were presented—nearly one-half of them being for or against the recharter of the Bank of the United

States, and for or against the removal of the deposits. In presenting these, many of the members introduced them with short speeches, and not unfrequently the speech was against the purport of the petition which it introduced. This is a singularity confined entirely to the memorials and petitions relating to the Bank of the United States—a subject of great party excitement and controversy.

The other subjects upon which the memorials are most numerous are for post-offices and post-roads, and petitions for pensions for services during the Revolutionary War, and since.

Uriah Tracy, thirty years ago, used to say that the soldiers of the Revolution claimants never died—that they were immortal. Had he lived to this time, he would have seen that they multiply with the lapse of time. As petitioners they are more numerous at every session of Congress than before. And of late, as some of them have died, their widows have begun to petition; and this day there was a petition from the son of a deceased pensioner praying that the pension may be continued to him.

There were also sundry petitions from various parts of the country for the abolition of slavery in the District of Columbia. These are always turned over to the Committee on the District, with a Chairman and a majority of the committee slaveholders, and the House hears no more about them. W. W. Ellsworth, of Connecticut, this day presented one or two of these petitions, and, with much solemnity of manner, said he wished the House to understand that he concurred entirely in the views and sentiments of the petitioners on this subject, and then moved that the petition, without reading, should be referred to the Committee on the District of Columbia.

Mr. Gales called me out, and spoke of the manner in which he proposed to print my intended speech in the Intelligencer, in such sort that it may be made up into a pamphlet. He gave me as a sample a copy of Mr. Wilde's speech.

Mr. Corwin, of Ohio, called me out, and said he believed if I wished to make my speech on the Deposit question one of the members from the State of Ohio, who voted with the majority,

would move a reconsideration of the second resolution to give me the opportunity to speak.

I declined, for various reasons: one, that I was unwilling to accept a privilege not to be extended to others; another, that I would be under no obligation which the member making the offer might reproach me with if he should dislike my speech; a third reason was, the useless waste of time in delivering a speech which would not change one vote after the question to which it applies has been decided by yeas and nays.

8th. At the House, among the reports of committees was a resolution by Richard M. Johnson, from the Military Committee, that, in consequence of the time which has elapsed since the establishment of the present system of discipline for the army, and the improvements which have taken place in military science, it is expedient to have a revision of said system, and therefore that the Secretary of War be directed to cause a revision thereof to be made, and the same to be reported to Congress at its next session.

This resolution was read, and agreed to by the House without opposition and without one word of comment. It is a job for General Scott, who has laid this country under regular contribution for this same pretence of improved military discipline for the last twenty years—ever since the pacification of Ghent—as if military discipline was intended for nothing else but to be mended.

9th. The House went into committee of the whole on the state of the Union upon the General Appropriation bill. The amendment moved yesterday by me, to strike out the appropriation for a temporary additional clerk in the Department of State for one year, was debated till half-past four o'clock. Several propositions were made to amend the clause: one by John W. Brown, of New York, which, after being much discussed, he withdrew upon a motion of H. Binney to strike out the word "preserve" and insert the words "to make an index," with reference to the papers of the Department. Mr. Binney spoke twice in favor of the appropriation, intimating that he did so having assented to it in the Committee of Ways and

Means. Governor Lincoln made a long speech in favor of my amendment, and was bitterly replied to by Hawes, of Kentucky, and by Mann, of New York. Polk spoke three or four times, and Archer, of Virginia, made a warm speech in honor of the Secretary of State, Louis McLane.

I made a final reply, after two or three abortive motions for the committee to rise. The question was taken, and the vote to strike out the clause as amended by Mr. Binney's motion was eighty-nine to seventy. The committee rose, and the House, near five, adjourned.

My mind was deeply moved by these two days of debate—the immediate object of which was very small, but the principle which it involved I thought of the deepest importance. Within the last five years Congress has been led into an irregular confused mode of connecting with the Appropriation bills a multitude of other objects, which are surreptitiously introduced to authorize expenditures which Congress would not directly sanction. I made this motion as a first step of an attempt to arrest this practice and to bring the legislature back to the true principle of making appropriations. It is an arduous undertaking, and must be perseveringly pursued. The success of the first movement is encouraging, but the evil usage will be constantly returning, and some nice discrimination will be necessary to avoid excluding small expenditures of no importance without admitting others.

10th. The resolution proposed on the 21st of January by Samuel A. Foote, for the appointment of a committee to revise the rules and orders of the House, was adopted, and a committee of seven members was ordered; and my resolution proposed on the 10th of February, concerning the limitation of time within which the Committee of Ways and Means should be required to report the annual Appropriation bills, was, at my motion, referred to that committee.

My other motion, made on the 21st of January, for copies of the instructions to R. Rush, of 6th November, 1817, was laid on the table, the Committee of Foreign Relations having obtained from the Department of State an abstract from the instructions containing the order not to receive presents from

foreign sovereigns; and the order by the present President of the United States, which is dated the 6th of January, 1834, the same day on which he sent the message to the House announcing *his* prohibition to the officers of the United States abroad—as if *he* was the first who had given the order. So struts the jay in borrowed plumage.

Warren R. Davis, of South Carolina, moved three resolutions: 1. That the powers of the Executive Department of the Federal Government have been increased beyond the authority of the Constitution. 2. That the powers of the Executive Department of the Federal Government are increasing, and ought to be diminished. 3. That the patronage of the President of the United States has increased, is increasing, and ought to be diminished.

Most of the resolutions adopted were instructions to committees to enquire into the expediency of measures proposed. This is one of the modes of originating business in the House, convenient only when the proposer of the measure is a member of the committee which he wishes to instruct.

12th. My speech, suppressed by the previous question, was published in the National Intelligencer of this morning—eighteen columns of the paper. When I entered the House, Mr. Stansbury, the reporter, came and intimated to me that there would be a complaint made against me for a breach of the privileges of the House, in the introduction to my speech, in the assertion that the moving of the previous question was by agreement concerted out of the House. But no such complaint was made, nor any notice taken of my introduction.

13th. The day was much engrossed in revising my suppressed speech, as printed in the National Intelligencer yesterday. I received this morning a letter from N. F. Williams, at Baltimore, requesting a few copies of it in pamphlet form, and a Baltimore Patriot of yesterday, in which it is already noticed. This evening I received a note from Mr. Gales, mentioning that they had received an order to print fifty thousand copies of it in the pamphlet form. I had also this day to revise Mr. Stansbury's minutes upon my last speech in committee of the whole, upon my motion to strike out of the General Appropriation bill the

clause to smuggle an additional clerk into the Department of State, under color of employing him only for one year, to assort and preserve the papers in the Department.

14th. In the Globe of this morning there is an editorial article, headed "Mr. Adams and the Speaker," evidently written or dictated by the Speaker, Andrew Stevenson, himself. He controverts none of the facts stated in the introduction to my speech, but throws the blame of all his abuses in the chair upon the House, and denies that there was any collusion between him and John Y. Mason to give him the floor. The article closes with a promise to take up the substance of my speech hereafter, but expresses no opinion that the speech itself should be prosecuted as a libel; adding, "but we are no lawyers."

Among the multitude of Bank and Deposit memorials, T. Burges, of Rhode Island, presented one from the county of Providence complaining of distress, signed by three thousand four hundred names; and D. J. Pearce presented a counter-memorial, which he moved should be read as it was. Burges then moved that the memorial presented by him should be read; but the Speaker, looking steadily to another part of the House, did not, or would not, hear Burges. He repeated the motion five or six times, with a voice as loud as he could raise; but the Speaker took no notice of him, called for Connecticut, and went successively through all the States, as far as North Carolina, when the proceedings of a meeting at Morganton, Burke County, North Carolina, in favor of a restoration of the deposits and a recharter of the Bank of the United States, presented by James Graham, occasioned an incident.

There was an insulting allusion to an expression used by Forsyth, of Georgia, in a recent debate in the Senate, of contempt for *pot-house* memorials. They said that his speech, coming from so courteous a person, could be accounted for only upon the supposition that it was delivered under extraordinary exhilaration; but whether proceeding from the pot-house or the palace they did not know.

James M. Wayne, of Georgia, asked Mr. Graham to withdraw this memorial; but he declined. Wayne then moved that it

should not be received on account of the insult contained in it upon a member of the Senate. At the motion of McKinley, of Alabama, Wayne's motion lies on the table till next Monday.

15th. This, being the third Tuesday in April, was the day to which the Anti-Masonic meeting at the Capitol had been adjourned. I called at Mr. Larned's, and took with me Mr. John Bailey, of Massachusetts, who is now in this city. The meeting was at the chamber of the Committee of Foreign Affairs. There were three or four members from Pennsylvania, and as many from New York, present, but there was no specific proposition before the meeting, and it ran into a mere desultory conversation. Mr. Clarke, of Pennsylvania, proposed that the members should communicate to each other the names of persons in the respective States with whom correspondence could be opened if necessary. Adjourned about nine o'clock, to meet again if the Chairman see fit to call a meeting.

17th. The President of the United States this day sent to the Senate a protest against their resolution of censure upon him for his recent interferences with the public revenues, and he calls upon them to enter his protest upon their journals. Great excitement. Poindexter moved that it should not be received. Clay, Webster, and Preston are absent.

18th. Henry A. Wise asked the consent of the House, and then a suspension of the rules, to offer three resolutions in the face of the President's protest sent yesterday to the Senate, declaring the custody and control of the public moneys to be in Congress and subject to their legislation. Then there was a call of the House, which lasted three-quarters of an hour, when it was given up, and the vote upon suspending the rule was, upon yeas and nays, one hundred and four to ninety-three —not two-thirds.

Then Baylie Peyton, of Tennessee, moved to suspend the rule of private business for him to offer three resolutions, counterparts to those offered by Wise, declaring that the President, in his late proceedings relating to the revenue, had not assumed unlawful powers; that the Senate, by their late resolution of censure upon the President, have infringed upon the rightful and legitimate powers and prerogatives of the House of Repre-

sentatives; and that Congress have the power by law to select the places of depositing the public money and providing for its safe-keeping. The vote to suspend was ninety-six to ninety-one—all the opposition voting for the suspension. Peyton withdrew his resolutions.

19th. Augustus S. Clayton, of Georgia, moved a suspension of the rules for him to offer a resolution for the appointment of a retrenchment committee. The rule was suspended by a vote of one hundred and twenty-seven to sixteen. The motion was for retrenchment in all the Executive Departments. It was moved to extend the enquiry to the pay and mileage of members of Congress. Clayton accepted the amendment. The vote on the resolution itself was taken by consent, and carried —one hundred and eighty-eight to two. Wise, of Virginia, then offered anew his resolutions presented yesterday, and then not received. They were now somewhat modified. He moved for the suspension of the rule, and for the yeas and nays, which were ninety-nine to ninety-one—not two-thirds.

Peyton, of Tennessee, then reproduced his resolutions yesterday presented against the Senate and in honor of the President of the United States, and moved the suspension of the rule. The vote was ninety-five to ninety-five—exactly balanced.

Allen, of Ohio, asked permission to give an explanation of his vote on these resolutions yesterday, in consequence of some publication in one of this morning's newspapers. Not allowed.

20th. In the protest which the President sent last Thursday to the Senate against a resolution of censure passed by that body upon his interference with the revenue, he affirms that their course of proceeding in that case was unprecedented.

It is true that no such resolution ever passed before; it is also true that no such resolution ought ever to pass that body. But precisely similar resolutions have been introduced and debated on more than one occasion.

I looked into Gales and Seaton's Register of Debates in Congress, vol. ii., the session of Congress of 1825 and 1826, for John Branch's resolution concerning Executive powers. The resolutions are two—of 30th March, 1826, page 404. See speech of Nathaniel Macon, 24th April, page 634; Johnson, of

Kentucky, page 638. The resolutions laid on the table—27th April, 1826, page 642—by a vote of twenty-three to twenty-one. Benton, Johnson of Kentucky, Kane, King of Alabama, Macon, Van Buren, Hugh L. White, and L. Woodbury, all voted against laying on the table and to sustain the resolutions.

Similar resolutions were introduced by Christopher Gore in 1813, upon the appointment of the Ministers for the Russian Mediation mission. They were first arrested by the close of the session of Congress, were renewed at the opening of the next session, and, after long debate, and transfer from the Executive to the Legislative journal, were at last indefinitely postponed. All the federalists then voted for them. The parties in the Senate have always voted for or against these resolutions according as they supported or opposed the President.

21st. The memorial from Gardiner and Pittston, Maine, presented last Monday, had precedence for consideration. George Evans opened the discussion with a speech of two hours nearly, and, when he finished, F. O. J. Smith moved to postpone the further consideration of the subject till next Monday.

Wise moved his resolutions as additional instructions to the Committee of Ways and Means to those proposed by Evans's resolution. This the Speaker declared not to be in order; but Evans accepted Wise's resolutions as a modification of his own, and then Wise made an anti-Jackson speech.

Peyton then moved his resolutions as amendment of Evans's, and as a substitute for the portion of them as modified by Wise's additions. This the Speaker declared out of order, but he allowed Peyton to make his speech. One of his resolutions was a lumping justification of the President's financiering, and the other a charge against the Senate of usurping the rights of the House of Representatives; and he said he offered them because he thought the House had nothing to do with the quarrels between the President and Senate.

Turrell, of New York, moved to lay the whole farrago on the table, upon which Evans withdrew Wise's resolutions which he had accepted; for he wished the question to be taken upon his resolution alone. Peyton's amendment fell, of course. Boon, of Indiana, moved that the memorial and the motion of

Evans should be laid on the table. Carried by yeas and nays —one hundred and eight to ninety—and the House adjourned. Not a petition or memorial could be presented, and the day was thus trifled away.

I went into the Senate-chamber, where they were debating on the President's protest, and upon certain alterations of it proposed by his private secretary. He had sent in this morning an explanatory paper. Messrs. Clay, Webster, Preston, and Poindexter, late absent, were in their seats. Clay thanked me for my suppressed speech, which, he said, he had read with much pleasure.

22d. The orders of the day were called. Polk presented a report and bill, No. 443, regulating the deposit of the public moneys in certain local banks. This bill was twice read, and Polk moved its reference to the committee of the whole on the state of the Union. Ewing moved that the whole, together with sundry sayings of the President, be referred to a select committee of one member from each State, with instructions to report a National bank.

The Speaker declared this motion not in order. I instantly made it a question, and the Speaker recanted, and admitted Ewing's motion, but said he could not discuss it. I questioned that too, and the Speaker allowed Ewing to discuss. Polk soon made a question of order, which the Speaker decided against him. He then implored Ewing to let the bill lie over, and bargained with him to let the Cumberland Road bill come up next after the General Appropriation bill; upon which Ewing gave up the floor.

Then followed the committee of the whole House on the state of the Union, Henry Hubbard in the chair, on the General Appropriation bill. Long, tiresome debate and very disorderly proceedings, the Speaker being absent from the House. Upon some question, it was found there was no quorum voting. Hubbard, Chairman of the committee of the whole, called Jesse Speight, of North Carolina, to the chair, to act as Speaker, and reported to him the fact that there was no quorum in committee of the whole. Evans, of Maine, moved to adjourn, which was rejected by yeas and nays—fifty-three to eighty-seven

—twenty members more than a quorum. Speight then, as Speaker, left the chair, and Hubbard, as Chairman of the committee of the whole, resumed it without any vote of the House. The debate dragged along till the committee was again found without a quorum. Hubbard again called Speight to the chair as Speaker, and reported to him the fact of no quorum in committee. I moved to adjourn, which was rejected by yeas and nays—thirty-nine to eighty-six—only five more than a quorum. I moved a call of the House. Speight refused to put the question. I appealed from his decision as Speaker; he refused to entertain the motion, and, without vote of the House, again left the chair, which was again resumed by Hubbard, as Chairman of the committee of the whole; but from that time no quorum could be formed, several of the minority keeping their seats, or passing without the bar, that they might not be counted at the vote by tellers, so as that a quorum should be made. The majority, finding at last that they could not thus drive the bill through the committee of the whole, gave it up. Evans renewed his motion to adjourn, and the House was adjourned without even reporting from the committee of the whole their third failure to make a quorum. In these proceedings every thing was disorder and confusion, all owing to the absence of the Speaker from the chair and a dogged determination of the Administration majority to force the bill through the committee of the whole.

23d. Immediately after the reading of the journal of yesterday, I moved that it should be amended at three different places. The first and second, by making it conformable to the precedents on the journal of the first session of the last Congress of 20th June, 1832, p. 906; of 21st June, p. 909; of 6th July, pp. 1100, 1101, 1102. Upon this, after a debate of about three hours, my motion was, at the motion of Boon, of Indiana, laid on the table by yeas and nays—one hundred to eighty-nine.

I then moved another amendment, stating the fact that the acting Speaker, Speight, of North Carolina, refused to receive a motion by me for a call of the House, and, upon my taking an appeal from the decision, refused to entertain the appeal. Boon

immediately moved to lay this motion on the table, but the vote by yeas and nays was ninety-four to ninety-five—upon which another debate of an hour and a half arose; and, after an ineffectual motion, by Wilde, of Georgia, to adjourn, the motion was renewed by Joseph N. Harper, of New Hampshire, to lay my amendment on the table, and carried by yeas and nays—ninety-eight to ninety. It was near four o'clock.

These were all close Administration party votes. Boon's second motion to lay mine on the table would have succeeded, but the wrong was so glaring that Cage, Leonard Jarvis, Seaborn Jones, Parker, A. H. Shepperd, and James M. Wayne shook their shackles and voted to allow me a hearing. At the final vote, Jarvis and Parker returned to their allegiance, and with Bouldin, who came in, and had not been present at the prior votes, carried the last against me.

The Speaker, whose absence from the House yesterday was the primary cause of all the disorder, had not the spirit or the candor to acknowledge the wrong of his substitutes, and attempted, directly in the face of Hatsell, to defend their arbitrary proceedings as conformable to the "Lex Parliamentaria."

24th. The Speaker of the British House of Commons has no power to call to the chair a substitute to take his place. Thus speaks the Rolliad—

> "There Cornwallis sits, and, oh, unhappy fate,
> Must sit forever, through the long debate;
> Like sad Prometheus fasten'd to his rock,
> In vain he looks for pity to the clock."

This privilege of placing a counterfeit Speaker in the chair is an abuse here, and ought not to be tolerated. The mock Speaker is under no responsibility whatever, and has continual temptation to disorder, as was so grossly experienced the day before yesterday.

26th. Upon the bill for the relief of Susan Decatur and others, there was a long, straggling debate, several amendments proposed and rejected, one adopted, and the bill was at last reported to the House. The vote was carried by tellers, and I went

through arm-in-arm with Polk, much to the amusement of the House.

30th. At the House, immediately after the reading of the journal, I gave notice of my intention to ask leave of the House to-morrow to introduce a bill prohibiting the Corporations of the cities in the District from issuing promissory notes or bills of any denomination less than ten dollars. The Speaker might have told me, as he did yesterday, that I was not entitled to the floor; but he did not; and my notice was given with leave of the House. By the rigid rules of the House, every member is so hemmed in that he cannot open his lips without leave obtained by a formal vote.

The House went into committee of the whole on the state of the Union. A bill regulating the value of certain foreign silver coins was passed in committee; then bills to continue the Commissions on French and Neapolitan claims. The General Appropriation bill followed, on an amendment proposed by Philemon Dickerson, of New Jersey, to the amendment proposed by Dudley Selden. After a discussion of two hours, both the amendments were rejected. Samuel A. Foote, of Connecticut, moved to strike out the item of salaries for Ministers to Great Britain and Russia, and to reduce the appropriations eighteen thousand dollars. He supported it by a short speech assigning his reasons. I sustained the motion upon entirely different grounds. Warren R. Davis, of South Carolina, had yet other reasons, which he gave, but I could only hear part of what he said. What I did hear, and what he said with great feeling, was this. Turning towards me, he said, "Well do I remember the enthusiastic zeal with which we reproached the Administration of that gentleman, and the ardor and vehemence with which we labored to bring in another. For the share that I had in these transactions, and it was not a small one, *I hope God will forgive me, for I shall never forgive myself.*" These were his identical words.

Archer, Chairman of the Committee of Foreign Relations, Polk, Chairman of the Committee of Ways and Means, and especially Wayne, of the same committee, defended with great earnestness the appropriation. I rose to reply; but it was past

five. The committee rose, and the House adjourned. I find myself deeply and unexpectedly involved again in this debate, and greatly to my mortification.

May 1st. Met S. A. Foote in the apartment of the Committee of Commerce, upon the sub-committee on the rules of the House. Wayne, the other member of the sub-committee, did not attend, though he had promised that he would. I proposed several amendments to the rules, which we discussed till the time of the meeting of the House, without coming to a conclusion.

At the House, after the reading of the journal, according to notice given yesterday, I asked leave to introduce a bill to prohibit the Corporations of Washington, Georgetown, and Alexandria from issuing promissory notes of any denomination under ten dollars. The Speaker made difficulties upon the seventieth rule, but finally my bill was received, and at my motion referred to the Committee on the District of Columbia. This precedent will enable me hereafter, if I should see fit, to introduce a bill ready prepared upon some other subject. The distribution of all the business of the House into standing committees has brought the introduction of bills by individual members into total disuse, and it was not without difficulty that I obtained the permission in this case.

9th. Immediately after the reading of the journal, it appeared there was no quorum in the House, and a motion was made to adjourn. The yeas and nays were called. The object was to attend the race-grounds, where numbers of the members were in actual attendance. The motion was rejected—twelve to one hundred and eighteen.

The House passed to the orders of the day, and, by suspending the rules for private business, took up the General Appropriation bill. Mr. Vance's amendment, limiting within a maximum the compensation of the Collectors, Naval Officers, and Surveyors of the customs, was resumed, and, after some discussion, adopted by yeas and nays—eighty-five to seventy-two.

White, of Florida, then renewed and modified his motion for allowances to two Judges in Florida; which, after much debate, was adopted.

Sutherland renewed a motion to extend and secure salaries to the Collectors, Naval Officers, and Surveyors equal to what they were in 1832, and started a long debate. Vance moved as an amendment to the amendment that the Secretary of the Treasury should dismiss one hundred and twenty-one clerks and other officers from the custom-house at New York. To these succeeded proposals of other amendments, and desultory debates; yeas and nays repeatedly taken; motions of adjournment, calls of the House, and for the previous question. Upon a sharp debate on the condition of the post-office, this was finally put, on motion of Cave Johnson, and upon a count by tellers there were seventy-six ayes (after a refusal to call the House). The minority defeated this attempt by abstaining to vote in numbers sufficient to make a quorum. Cave Johnson withdrew his motion for the previous question, and the debate was renewed. At half-past one in the morning the vote to engross the bill for the third reading was taken and carried, and the House adjourned over to Monday.

10th. A session of nearly fifteen hours, without intermission and without refreshment, exhausted me so much that on returning home I merely took a plate of soup, a small piece of bread, and half a glass of water, upon which I went immediately to bed, and slept soundly till seven.

This morning I called at the office of the Secretary of War with a letter in behalf of the heirs of Swanzy Hart, a Revolutionary soldier, for a claim of bounty lands. Mr. Cass took minutes of the name, and promised to make enquiries and let me know the result.

I spoke to him of the recent intelligence from France of the refusal of the Chamber of Deputies to grant the supplies of twenty-five millions of francs, stipulated for indemnities of the claims of citizens of the United States for spoliations committed during the war and the reign of Napoleon. I enquired if official information of the refusal had been received.

He said there had been dispatches received from Mr. Livingston yesterday, and that the case was worse than the report had indicated. It was now stated as a strong suspicion that the refusal of the Chamber of Deputies to appropriate was instigated

by the King's Ministry themselves; which I thought quite improbable. I had some conversation with Mr. Cass respecting the obligation of treaties.

I dined with Mr. William Baylies. D. Webster and N. Silsbee, J. C. Bates, Gorham, Grennell, and Reed, W. B. Calhoun and General Wool, constituted the company. There was much conversation, of which I should have taken an undue proportion but that Benjamin Gorham preferred taking it to himself, to which I readily yielded. Gorham's views upon all controverted subjects are original and ingenious. I would always rather hear him than discourse myself. Mr. Webster withdrew soon after dinner. The rest of the company sat till near ten.

16th. At ten o'clock this morning I attended at the room of the Committee of Commerce the select committee on the Yorktown Monument Memorial—Wise, Thomas of Louisiana, Pinckney, and Murphy; all present except Pinckney. The memorial from Yorktown asks an appropriation of twenty thousand dollars to carry into effect a resolution of the Confederation Congress of 29th October, 1781. After some conversation, I was charged to prepare and report to the committee a bill.

In the House, Galbraith, after consuming the first hour in continuation of his speech upon Mardis's resolution and Corwin's amendment, asked five minutes more to conclude. The rule was suspended, and he spoke another full hour. Stewart then moved to lay the resolution on the table, without recollecting that the question before the House was upon Corwin's amendment, upon which we were desirous of obtaining a direct vote. The rule, at Boon's motion, was suspended, to enable Stewart to make the motion to lay the resolution on the table. He made and, after some discussion, withdrew it. McDowell Moore immediately renewed it, and I made it a question of order whether the suspension of the rule extended to authorize other members to renew the motion when the mover had withdrawn it. Hubbard, who was in the chair as Speaker, decided that it did not; upon which a debate of two hours arose on several questions of order, till Hubbard, reversing his first decision, decided that, under the suspension of the rule for one

member to make a motion, if it be withdrawn by him it may be renewed by another. From this decision I appealed.

After some debate, Moore withdrew his motion, and the question occurred whether my appeal fell with the withdrawal of Moore's motion. Hubbard decided that it did not. Van Houten repeated the motion to lay the resolution and amendment on the table, and the House confirmed Hubbard's decision against my appeal by a vote of one hundred and fifty to thirteen. Corwin then withdrew his amendment, after a debate upon it of more than four months—that is, upon Mardis's resolution, which he also withdrew. Vance had moved a reconsideration of the suspension of the rule at Boon's motion, but the House refused to reconsider.

17th. Thompson of Ohio's motion for reconsideration of the postponement for a fortnight of the consideration of Boon's resolution to adjourn on the 16th of June. Thompson had moved yesterday that his own motion for reconsideration should be postponed till next Tuesday, the day fixed for considering the contested Kentucky election. This morning, Thompson modified his motion of postponement of his own resolution, substituting next Thursday instead of Tuesday for taking it up.

Evans, of Maine, moved that the motion for reconsideration be laid on the table; which the House, by yeas and nays, refused—seventy-seven to eighty-six—whereupon Thompson himself withdrew his motion. R. M. Johnson asked if this could be done. The Speaker answered, Yes. Johnson asked if another member could not renew the motion. The Speaker said, No; it was too late.

This decision was directly in the face of that of Hubbard yesterday, confirmed by an almost unanimous vote of the House against my appeal. But R. M. Johnson now acquiesced without appealing. At the motion of C. F. Mercer, the rules were suspended for him to offer a resolution that Thursday next, to give time to remove the carpet from the floor and lay the matting and ventilate and purify the hall, the House will adjourn over till the succeeding Monday; which was adopted.

There was another reason for the motion—to give some of the members an opportunity for an excursion to Harper's Ferry.

19th. At the House, Watmough told me that Stevenson, the Speaker, had given him private notice that he should resign the chair to-morrow. He is to be nominated to the Senate this day as Minister to Great Britain.

21st. Andrew Stevenson was nominated this morning to the Senate as Minister Plenipotentiary to Great Britain, and Mahlon Dickerson as Minister to Russia.

23d. I was up this morning before five o'clock, and my son John went with me over to Georgetown, to the landing-place of the Chesapeake and Ohio Canal. There we found two canal-boats, one of them of cast-iron. They were filled with a company chiefly of members of Congress, and a few of them had their families with them; all invited by the President and Directors of the Chesapeake and Ohio Canal Company to make an excursion to Harper's Ferry. My son left me at the landing-place and returned home. I entered the largest of the two boats, which was full of company, among whom a small number of ladies. The band of music of the Marine Corps were also there, distributed in the two boats. Mr. Charles F. Mercer, late President of the Corporation, and the real founder of the whole undertaking, was of the company. John P. Van Ness, Mayor of Washington, Mr. Coxe, of Georgetown, and Colonel Abert, a Director on the part of the Government, did the honors of the party. The passage on the canal was very slow, and continually obstructed by stoppage of the locks. Of these there are thirty-four between Georgetown and Harper's Ferry. There was a light collation and dinner, and, after it, some drinking of strong wine, which made some of the company loquacious and some drowsy. The band gave occasional reports of animating instrumental music. The canal almost the whole way follows close upon the course of the Potomac River; the country along the margin of which is generally beautiful, sometimes wild, and in other parts variously cultivated, but seemingly little inhabited. There is not a luxuriously comfortable country-seat on the whole way, nor one that bespeaks affluence and taste. The Point of Rocks is one of the remarkable positions on the way.

We reached Harper's Ferry about nine in the evening, and, with the aid of Mr. Mercer and of the agent of the Corporation,

I was quartered in the house of General Rust, the Superintendent of the National Armory at this place. The ladies and daughters of several members of Congress were also provided with the same place for lodging. All were hospitably received by General Rust and his lady. But it was about midnight when I got to bed.

24th. Day at Harper's Ferry. The company lodged here consist of Mr. and Mrs. George R. Gilmer, of Georgia, Mr. and Mrs. William H. Clowney, of South Carolina, Mrs. Seaborn Jones, with her daughter and a niece, Miss Grantland, Miss Gamble, daughter of Roger L. Gamble, a member of the House from Georgia, Mr. Jones and Mr. Gamble taking lodgings at the inn. I was by special favor quartered in the same house with the ladies. We all breakfasted with General Rust's family. Mr. and Mrs. Leonard Jarvis were quartered in another house, and the other members of Congress, to the number of about forty, found entertainment at the inn. After breakfast all the company made an excursion up the river two or three miles, as far as the canal has been completed, and down the river nearly to the Point of Rocks.

At one o'clock we all dined together at the inn, and after dinner first visited the Armory, where the rifles are made; but the works are not comparable to those at Springfield. We then ascended the hill which overlooks the College, and rested at the residence of Captain John P. Hall. There we saw the junction of the Potomac and Shenandoah Rivers, described somewhat enthusiastically by Mr. Jefferson. I went to the hanging rock, that bears his name, and observed the double range of precipitous rocky hills between which the river flows. It has some resemblance, on a much smaller scale, to the course of the Elbe between Dresden and the borders of Bohemia. There is not much of the sublime in the scene, and those who first see it after reading Mr. Jefferson's description are usually disappointed. We met on the hill Mr. John Petre, who resides in that vicinity. In the evening there was a large party at General Rust's, of all the company from Washington and of gentlemen living in the neighborhood. The band was stationed in the entry, and the ladies performed on the piano and

sung. The party continued till near midnight, and it was agreed that we must all be on board the boats to-morrow morning at five o'clock to depart upon our return to Washington. The weather has been very warm and dry.

25th. Return from Harper's Ferry to Washington. At five o'clock this morning our company reassembled at the landing, and embarked in the two canal-boats upon the return from our excursion. About ten miles from Harper's Ferry we landed, and breakfasted at a public house, where notice had been given to be prepared to receive and provide for us. We then re-embarked, and proceeded upon our return. The heat of the weather was great, and retarded the pace of the horses by which the boats were drawn, till a heavy thunder-shower and gust came up about four in the afternoon. There was some occasional change of the company—some of the passengers passing from one boat to the other. Albert G. Hawes, a member of the House of Representatives from Kentucky, made himself very amusing to the company by facetious humors and coarse jokes and a very frequent and copious consumption of whisky drams. He talked much more than his share, sometimes to the great entertainment and sometimes to the no small distaste of the company.

In the height of the thunder-shower I and many others of the passengers landed at a lock and took refuge from the rain in a neighboring house. After the thunder-shower the rain continued at intervals all the evening, which was very dark. The ladies retired into a small cabin, very narrow, and, to my great surprise, sang with great facility a variety of Methodistical hymns. It was past midnight when we arrived at the landing at Georgetown, where my coachman, Wilson, and the colored man, Bell, were waiting for me with the barouche, and had been waiting from five in the afternoon. I returned immediately home, and was safe in bed about one in the morning.

Among our company was Judge Peter O. Thacher, of the Municipal Court at Boston, members of the House of Representatives from all parts of the Union, but only one member of the Senate, Mr. McKean, of Pennsylvania. I have been much pleased in observing the style in which the work upon

the canal has been executed. It is certainly a great work, but whether of proportional utility is yet to be ascertained. The new system of railroads is taking the place of canals, and the horse can hold no competition with the locomotive.

28th. In the evening I had a visit from Franklin Litchfield, Consul of the United States at Porto Cabello, in Venezuela, and had a long conversation with him on the present condition of that country. The republic of Colombia is dissolved, and its very name is extinct; it forms three independent States—Venezuela, New Grenada, and Equador—each recognizing the two others as separate and sovereign States. There is not the remotest prospect of their ever being united together again. Mr. Litchfield says the Government of Venezuela acknowledges the treaty of the republic of Colombia with the United States as binding upon them; so do the Governments of New Grenada and of Equador. This inability of South America to live united under one government is ominous.

29th. At the meeting of the House, I asked its unanimous consent to offer three resolutions, which I propose to move as amendments to the resolutions proposed by the majority of the Bank Investigating Committee, and, to my great surprise, they were received without objection, and ordered to be printed. The House transcended far and wide its legitimate constitutional authority in the powers which it gave to the Bank Inquisition Committee, as it should have been called. The President and Directors of the United States Bank stood upon their rights, and refused to submit to the scrutiny of the committee, the members of which were, of course, obliged to slink back with their errand unexecuted, and to relieve themselves with a petulant report of invective against the President and Directors of the bank, closing with a resolution that they should be brought to the bar of the House to answer for a contempt. The House will not dare to pass this resolution, from which even the British Parliament would shrink abashed.

I determined to put upon the records of the House my protest against the adoption of any such resolution, and my indignation at the mere proposition of such measures. After the adjournment of the House I went into the library and consulted

the four volumes of precedents of cases in the House of Commons for parliamentary law. Upon this doctrine of contempt I examined also the Register of Congressional Debates 8. 2. 2597; 1 Wilson, 299; case of Alexander Murray, 14; East; Sir Francis Burdett; 1 Lord Raymond, 10–18; 2. 115–938; Holt Knollys Paty; Constitution of Maryland, § 12; 4 Cranch, 93; Starkie on Slander, 479; Constitution United States, 5th amendment; 1 Chitty's Blackstone, p. 164; 3 Dallas, 386, ex post facto laws; 1 Maule and Selwyn, 273; 6 Wheaton, 204; Anderson and Dunn.

30th. I went into the library and consulted 6 Wheaton and Lord Raymond for the doctrine of contempts. I found the House in session, and met at the door Mr. Stevenson, the Speaker, who had placed H. Hubbard in the chair; and he told me that he had just given notice that he should resign the chair next Monday.

31st. Kentucky contested election. Thomas P. Moore made his speech of three hours in support of his claim, and when he had closed, Leavitt, of Ohio, made a speech, and, upon being interrupted by Marshall, of Kentucky, moved the previous question. Tellers were called to ascertain if there was a second to the motion, and it failed—fifty-eight to one hundred and two; upon which Hardin opened with a speech. He was followed by McKinley, who presented certain new views of the subject. Before he commenced, I moved, at half-past four, an adjournment; which was rejected by yeas and nays—eighty-one to one hundred and twenty-one. After McKinley had finished, Chilton Allen moved again to adjourn; rejected—ninety-two to one hundred and six. Then he moved a call of the House, and two hundred and thirteen members answered to their names; excuses received from nineteen. Beardsley again moved the previous question; again rejected. I wrote a note of excuse to Sir Charles R. Vaughan, and sent it, with one from Archer, by my coachman, with orders not to return. The House sat till nine o'clock, taking a series of questions by yeas and nays upon all the amendments moved by Mr. Banks. The yeas and nays were taken five times, and all Banks's amendments were carried by majorities from eight to twenty votes, till it came to

the last, the question upon which was arrested by a motion of Muhlenberg to adjourn; which was carried.

It was now ascertained that the result of the amendments adopted by the House must be to declare Letcher duly elected, and Muhlenberg's object was to concert, out of the House, means to escape from this conclusion.

June 2d. At the House, immediately after the reading of the journal, Andrew Stevenson, the Speaker, addressed the House, and resigned his office, stating that he had this day addressed a letter to the Executive of Virginia resigning his seat as a member of the House. He then took leave of the House, in a speech of fifteen minutes, full of good principles and good feelings, in elegant language very handsomely delivered.

The House immediately proceeded to ballot for Speaker. There were ten ballots taken, at the last of which John Bell, of Tennessee, was chosen by one hundred and fourteen of two hundred and fifteen votes. He was conducted by me and Richard M. Johnson to the chair, whence he made a short address to the House, and took the oath to support the Constitution of the United States, administered by Lewis Williams, of North Carolina, the person who has been longest in continuance a member of the House; immediately after which the House adjourned. The competitors for the chair were Wilde and Wayne, of Georgia, Polk, of Tennessee, and Sutherland, of Pennsylvania.

4th. I dined with Mr. Webster upon salmon sent him from New York. Silsbee, Bell, of New Hampshire, Sprague, of Maine, Southard, of New Jersey, Waggaman, of Louisiana, Edward Everett, Commodore Chauncey, and Letcher were there. Waggaman and Southard asked my opinion what they should do upon the nomination of Stevenson as Minister to Great Britain. I advised them earnestly to vote for the confirmation of his appointment.

10th. The Kentucky contested election was taken up, and Patrick H. Pope modified his amendment offered last Friday. It appeared that some of the votes that he wished to have stricken from Letcher's poll had already been deducted from it. There remained from thirty to forty votes, which he moved by

five resolutions to have struck off from Letcher's poll, as minors or not citizens, or as having been counted for him by mistake, and to be added to the poll of Moore. The yeas and nays were taken seven times, with various results, on petty varieties of testimony. I voted in every instance against striking out—approving on this point the principle adopted by the Committee of Elections, to admit no such postliminary testimony to invalidate votes received on either side. I spoke also against the reversal of this principle, but without effect. The House did reverse it, and struck out successively several votes from Letcher's poll, refusing to strike out others. Three calls were made for the previous question—the first and second time falling short of a second. The third time the motion was made by Lytle, immediately after the House had struck out from Letcher's poll every vote they could, on evidence that the votes were minors, and to prevent the application of the same principle to Moore's poll. On the vote taken by tellers, there were then one hundred and five for, and ninety-six against, seconding the motion. When my name was called, I asked what the effect of the previous question would be, and stated it amidst stunning cries of order and gentle remonstrances of the new Speaker (Bell) against discussion; but I persisted till he answered my question. The main question would have been—aye or no—upon the resolutions reported by the Committee of Elections, that Thomas P. Moore was entitled to the seat; and the effect of the previous question would have been to annul all the decisions of the House restoring to Letcher the votes unjustly struck from his poll by the committee. The restoration of those votes gave Letcher the legal majority, and the previous question would not only have taken it from him again, but brought the whole party machinery to bear on the naked declaration that Moore was entitled to the seat.

Marshall moved a call of the House; which was carried—one hundred and nineteen to eighty-five. Two hundred and twenty members answered to their names, and excuses were received from seven. Even the suspension of further proceedings upon the call moved by Mann was contested, by yeas and nays—one hundred and thirty to eighty-four. Hardin moved an adjourn-

ment; rejected—fifty-six to one hundred and fifty-eight. Marshall called for the reading of the portion of the report of the Committee of Elections which contains a statement of the votes. The Speaker decided this to be out of order, as equivalent to debate. Marshall appealed from the decision of the Speaker, which was confirmed by the House. Mercer moved a reconsideration of the vote striking out Letcher's minors, for which he had voted in the confidence that the same principle would be applied to Moore's poll, which was now to be evaded. The Speaker decided that this was not in order; from which Mercer appealed, but, after debate, withdrew his appeal. The vote upon the previous question was, that the main question should *not* now be put—one hundred and eight to one hundred and twelve; and the House, at half-past eight in the evening, adjourned.

11th. The Kentucky election case was resumed. Further questions were taken upon striking out three or four more minors from the poll of R. P. Letcher. Then Marshall moved to strike off a number of votes from the poll of Moore; then followed a long, loose debate upon a succession of names, on each of which the question was taken of striking it off, and carried pro and con.

After much nibbling at votes on both sides, and yeas and nays repeatedly taken, McKay moved to commit the whole report of the Committee of Elections, and all the amendments adopted and under consideration, to the committee of the whole on the state of the Union, with instructions to report a resolution declaring the election in the Fifth Congressional District of Kentucky void for uncertainty and irregularity, and that neither Thomas P. Moore nor Robert P. Letcher was entitled to a seat in the House.

There was another resolution, to allow both Letcher and Moore pay as members during their attendance; which, on objection being made, he withdrew.

Then came a call of the House, moved by Benjamin Hardin, upon which two hundred and twenty-one members answered to their names, and excuses were received from seven; then a warm debate, upon which McKay modified his resolution,

which was finally carried, by yeas and nays—one hundred and thirteen to one hundred and nine. The majority consisted of McKay himself, and Wise, of Virginia, men whose moral principle consists in taking the stand half-way between right and wrong. Heath and Turner voted for McKay's resolution, and Hard was absent. Heath promised to move a reconsideration of the vote.

12th. The Kentucky election came up. Heath did not move the reconsideration of the yesterday's reference, as he had promised he would. McKim had been with him, and threatened that, if he did, the Administration party would defeat the Baltimore Railroad bill. The House went into committee of the whole pro formâ, H. Hubbard in the chair, and reported McKay's resolution as instructed, in this form:

"Resolved, That there be a new election for a member of this House from the Fifth Congressional District in Kentucky, it being impracticable for the House to determine with any certainty who is the rightful Representative of said district."

Clayton moved to amend the resolution by declaring Letcher entitled to the seat. There was a call of the House at the motion of Moore, of Virginia; two hundred and twenty-four members answered to their names, and excuses were received from seven. Further proceedings in the call were dispensed with at the motion of Mann, of New York—one hundred and forty-eight to sixty-five. On Clayton's motion, the vote was one hundred and twelve to one hundred and fourteen. I moved to strike out the words declaring it impracticable for the House to determine who was the rightful Representative of the district; but this motion was rejected. Clayton moved a preamble, stating the facts proving Letcher to be elected, which he withdrew at the request of Hardin, but it was renewed by Garland, and rejected—seventy-two to one hundred and thirty-six. The resolution, as reported by the committee of the whole, was then carried—one hundred and fourteen to one hundred and three. The decision of the House in the case of the contested election was the triumph of conscience over party, and of party over justice.

13th. Resolutions from the Senate—one declaring the reasons

of the Secretary of the Treasury for the removal of the deposits unsatisfactory, and the other directing the public funds to be deposited in the Bank of the United States and its branches from and after the 1st of July next—were successively taken up, and, at Polk's motion, laid on the table. Crockett moved a call of the House; two hundred and eleven members answered to their names, and excuses were received from seven. Proceedings on the call were then suspended, at the motion of Joseph B. Anthony. The resolution disapproving the removal of the deposits was laid on the table—one hundred and fourteen to one hundred and one. The resolution directing their restoration to the United States Bank—one hundred and eighteen to ninety-eight.

Next came a bill revising an Act to secure a right of pre-emption to settlers (squatters) on the public lands; opposed by Vinton, of Ohio, who moved to strike out the enacting clause. It raised a hornets'-nest from all the new States, and was finally put down by a call for the previous question, moved by Speight, and carried. The bill was passed—one hundred and twenty-four to fifty-three.

Then, after an unsuccessful motion to adjourn, the Indian Annuity Appropriation bill was debated on the amendments from the committee of the whole, and was ordered to be engrossed for a third reading. I objected again to the amendment appropriating the one hundred and twelve thousand dollars belonging to the Seneca Indians; but Mr. Binney, who agreed with me in the principle, offered a proviso reserving the Indian right; and the House, only one hundred and twenty-one members present, not only agreed to the amendment, but refused the yeas and nays, which I asked. The bill passed, and the House, at half-past six, adjourned. I walked home, praying for restraining grace, the control of my own passions, patience, humility, and resignation to the will of Heaven.

14th. The House, by unanimous consent, on the motion of Polk, went into committee of the whole upon the state of the Union upon several Appropriation bills—the Indian Annuity Appropriation bill, and one other, having previously been read

the third time, and passed. The Fortification bill, a bill for the re-appropriation of an unexpended balance for payment of Georgia militia claims in 1792–3–4, and a bill making additional appropriations for the armory at Harper's Ferry for the year 1834, were carried through the committee, under the charge of Polk. The last two were reported to the House without amendment, passed to a third reading, and passed. The Light-house bill, in the care of Sutherland, and the West Point Military Academy Appropriation bill, under the protection of H. Binney, were carried with sundry slight amendments and little debate, till Dickinson, of Tennessee, moved to strike out the enacting clause of the Military Academy Appropriation bill, and made a patriotic speech, answered with great animation and persevering fluency by Ward, of New York. The debate was continued by Hawes, of Kentucky, Smith, of Maine, Ewing, of Indiana, and others; but all their amendments were rejected, and the bill, together with the Gold and Silver Coin bill, and the Foreign Gold Coin bill, was reported to the House, which then adjourned soon after four.

I spoke to Mr. Bell, the Speaker, on his omission to call up my resolution of enquiry concerning the banks; but he said he thought he had been right. He had suffered Polk to move and carry the suspension of the rules, without giving notice that my resolution was the unfinished business of yesterday and as such had the preference of all other subjects.

16th. The Appropriation bills were taken up, and a debate ensued upon the bill from the Senate for the continuation and repair of the Cumberland Road, which continued till near seven o'clock, when the House adjourned without coming to a decision. Polk's motion to reduce the appropriation from six hundred and fifty-two thousand one hundred and thirty dollars for repairs to three hundred thousand, was rejected, by yeas and nays—ninety-one to ninety-two. The Speaker was called by Warren R. Davis to vote, but declined. I moved an amendment to Polk's, including his, but it was rejected. Then amendments were proposed by Sutherland and Philemon Dickerson, pending which the adjournment was carried. Mr. Preston, of the Senate, was in the House, and said that the

nomination of A. Stevenson as Minister to Great Britain would be rejected by the Senate.

17th. At the House, H. L. Pinckney moved a suspension of the rule, to discharge from the committee of the whole a bill for laying a tonnage duty on Spanish vessels. Cambreleng objected that, it being a Tax bill, it must be first considered in committee of the whole. Bell decided, doubtingly, that, as a duty upon Spanish vessels, it was not a tax or charge upon the people, and not within the rule. I requested Pinckney to withdraw his motion, as I should else be under the necessity of appealing from the decision of the Speaker. Pinckney withdrew his motion.

18th. I was called back to the House for the yeas and nays upon the reduction of an appropriation for the improvement of Red River, but it was too late for my vote. The Harbor and River bill continued to be debated till past seven o'clock. The amendments adopted in committee of the whole were chiefly confirmed, and other amendments were added. An appropriation of thirty thousand dollars for surveys was warmly debated, earnestly supported by me, and rejected, by yeas and nays—eighty-nine to one hundred. This vote produced much excitement. Beatty moved to lay the bill on the table; rejected—sixty-six to one hundred and twenty-three. The next and last amendment reported from the committee of the whole was for Deep Creek, between Virginia and North Carolina, twenty-nine thousand dollars; to which Beatty offered an amendment of fifty thousand for Cumberland River above Nashville. Then followed motions for the previous questions, for a call of the House, to lay the bill on the table, and for reconsideration, till the motion to adjourn succeeded. The rumor was generally circulated round the House that Louis McLane, Secretary of State, had resigned.

21st. Wasted the morning of the summer solstice. Just before going to the House I heard that intelligence had been received of the death of General La Fayette. At the meeting of the House, I moved a joint resolution for the appointment of a committee to consider and report what measures it may be proper for Congress to adopt, honorary to the memory of

General La Fayette. The resolution was unanimously adopted, and a committee of one member from each State on the part of the House was appointed. The Senate immediately concurred, and ordered a committee of thirteen members on their part.

Archer, from the Committee of Foreign Affairs, reported, according to instructions, a bill to provide for the sufferers at Toulon; read twice, and committed to the committee of the whole on the state of the Union. Polk moved a suspension of the rules devoting the day to private business to take up the unfinished Bank Deposit bill of yesterday. The vote was one hundred and fifteen to sixty-eight—not two-thirds. Campbell P. White moved to suspend the rules and take up the two bills—numbers 312 and 313—concerning the gold and silver currency. Yeas and nays—one hundred and thirty-three to fifty-two; carried. Upon which White moved to strike out his whole bill and to insert an entire new one. He made a speech, and was followed by Selden, Clowney, and Gorham, with amendments. Jones, of Georgia, supported the new bill, and the establishment of the proportion of sixteen to one between gold and silver. H. Binney delivered a strong argument against that proportion. Ewing, of Indiana, then discoursed somewhat tediously, but amidst great disorder and confused, insulting impatience of discourteous members attempting to silence him by noisy interruption. John Y. Mason, being in the chair as Speaker, mildly remonstrated with the House, and Ewing was permitted to proceed. Gorham's amendment was rejected, by yeas and nays—sixty-nine to one hundred and twelve; Selden's, by fifty-two to one hundred and twenty-nine. Binney moved a fourth section, providing for annual assays of coins, which C. P. White accepted as part of his new bill. So amended, the bill passed to a third reading, and then passed, by a vote of one hundred and forty-six to thirty-six, with the proportion of gold to silver at 16 for 1. Wilde had proposed an amendment fixing the proportion at 15.83 for 1; which was rejected. He voted against the bill, as did Binney; and of the Massachusetts delegation, Baylies, Everett, Gorham, Grennell, Lincoln, and Reed. I voted for it, approving generally the principles of the

bill, and hoping that the proportion would be amended in the Senate.

The bill for regulating the value of certain foreign gold coins passed to be engrossed, and then was read the third time, and passed without opposition. One or two other bills were passed.

Then came one from the Senate, granting double pensions to the French seamen wounded and to the relatives of the killed by the accident at Toulon. It passed through the committee of the whole on the state of the Union, then to the third reading; was read the third time, when debate upon it arose, and, at Beardsley's motion, it was postponed till next Monday.

Two messages were received from the President: one announcing the decease of La Fayette, and communicating the general order to the army and navy issued on the occasion; the other, communicating a memorial from the granddaughters of the Count de Rochambeau, claiming remuneration for his services in the Revolutionary War. It was referred to the Committee on Foreign Affairs. The House adjourned near nine in the evening.

22d. At five o'clock, afternoon, I attended again at St. John's Church, where Mr. Hawley read the service; but I was the only respondent of part of it, and not twenty persons present at any part. Mr. Hawley gave out two hymns to be sung, but there were no singers and no performance on the organ, and Mr. Hawley's exhortation, substituted for a sermon, was not of five minutes' duration. Between the two services there had been a long-continued and very severe thunder-storm, in which the clouds in conflict seemed for a full half-hour to be suspended immediately over our heads.

In the leisure of the day I was reflecting upon the resolutions and measures which it might be proper to adopt on the occasion of the decease of La Fayette. I moved the appointment of the joint committee yesterday because I felt that my position required it specially of me more than of any other member of Congress. But, having done that, my principle will be to let others do all the detail and propose nothing myself. All may possibly thus go on smoothly. But if I should propose reso-

lutions written by myself, the instant they should be read in committee the spirit of verbal criticism would be kindled in the joint committee, and there might be two days' debate without coming at last to a conclusion. I purposely left the number of the committee on the part of the House in blank when I offered the resolution yesterday. Five and seven had been named, but one from each State was more acceptable to the House; and, as it is, multitudes of members will be disappointed in not being themselves upon the committee.

23d. The committee on the part of the House to consider and report suitable tokens of respect to the memory of General La Fayette was announced on the reading of the journal. I was Chairman. The names of the members on the part of the Senate—thirteen—were afterwards communicated. I notified a meeting of the committee at half-past nine to-morrow morning, at the chamber of the Committee of Commerce of the House.

This was petition day, but Polk moved to suspend the rules after two o'clock to take up his Bank Deposit bill. I moved to substitute five o'clock instead of two; rejected. Polk's motion was divided; vote to suspend the rules carried—one hundred and twenty-seven to sixty-one; but not to take up the Bank Deposit bill—one hundred and twenty-three to sixty-five.

Gilmer, from the select committee on the bill from the Senate to settle and establish the northern boundary of the State of Ohio, moved that the committee be discharged from the further consideration of it, and that it be postponed till the next session of Congress. The bill, at the motion of Leavitt, of Ohio, was laid on the table.

The time till two o'clock was wasted in violent altercation speeches between Burges and D. J. Pearce, of Rhode Island, upon resolutions of the House of Representatives of that State. Both touched upon the Hartford Convention.

At two the Harbor bill was taken up, and, under a running fire for and against internal improvement till near nine at night, with the episode of a very heavy thunder-gust, was carried by a final vote of one hundred and seven to fifty-four. The appropriation of twenty-nine thousand dollars for surveys, voted down upon my speech the other day, was now carried—ninety-two to

eighty-two; all by the change of Beardsley and the New York Van Buren members.

Jones, of Georgia, Felder, of South Carolina, and especially Wise, of Virginia, taunted them upon it bitterly. Beatty, of Kentucky, Ewing, of Indiana, and other Western members, flew the course because they could not carry special favorite improvements of their own. The appropriation for surveys was the tug for life and death. The question for engrossment was carried by an increased majority, and the passage of the bill by two to one.

I saw Mr. Webster twice in the House and once in the Senate about the meeting to-morrow of the La Fayette committee, and W. S. Archer, at my request, drew up the resolutions to offer. I came home pleased with the result of the day.

24th. At half-past nine this morning the joint committee of the two Houses of Congress on the honors to be paid to the memory of General La Fayette met in the room of the Committee of Commerce of the House of Representatives—twenty-four members of the House and twelve of the Senate; all present except Joseph Duncan, of Illinois. The resolutions drawn yesterday by W. S. Archer were presented, and Mr. Clay offered one embracing the substance of the three. Propositions were made for dressing in mourning the halls of the Senate and the House and the chairs of the Vice-President and Speaker for the remainder of the session. Mr. Calhoun offered a resolution that I should be requested to deliver an oration upon the life and character of General La Fayette before both Houses of Congress at their next session. There was little discussion upon the resolutions, which were unanimously adopted, and the two chairmen, Mr. Webster and myself, were authorized to draw them up and report them. This was done with the aid of Mr. Archer, and in the evening I reported them to the House, where they were accepted, read three times, and unanimously passed.

At the House, there was some discussion and much manœuvring to take up the Bank Deposit bill in preference to the Fortification bill. The Bank bill prevailed, and, after excellent senseless speeches from Coulter and Stewart, of Pennsylvania,

Jones, of Georgia, McVean, of New York, Miller, of Pennsylvania, moved the previous question, which was seconded and carried, and the bill, as reported by the Committee of Ways and Means, passed the second and third reading, after a call of the House, upon which only one hundred and seventy-five members answered to their names, and twelve excuses received. The bill passed by a vote of one hundred and twelve to ninety; about twenty-five members being intentionally absent to avoid voting.

The bill for pensioning the French sailors wounded and the relatives of the two that were killed by the salute at Toulon was taken up, and first recommitted to the committee of the whole House on the state of the Union, there entirely new-modelled, reported by Ward, Chairman of the committee of the whole, amended, then engrossed for a third reading, and finally read a third time and passed, after which the title was amended, to conform to the amendment of the bill. McKinley, of Alabama, made an objection upon constitutional ground, which I answered. The House refused him the yeas and nays upon the passage of the bill. Adjourned about half-past six.

The Senate this day rejected the nomination of Andrew Stevenson as Minister to London—twenty-three to twenty-two; of Roger B. Taney as Secretary of the Treasury—twenty-eight to eighteen; and confirmed Benjamin F. Butler as Attorney-General without a division.

Here occurs a blank, probably occasioned by the pressure of occupation incident to the closing of the session, which held out until the last day of this month. From a note made on the 15th of July, it would seem that the interruption had taken place as long before as the 5th of March. Consequently, that portion of the record appearing since that date must have been made up from minutes at some later moment.

QUINCY, *July* 16th.—That which absorbed the largest portion of the day was a research respecting the origin of committees of correspondence in the approach of our war for independence.

George Tucker, Professor of Moral Philosophy at the University of Virginia, recently wrote me a letter of enquiry upon

this subject. He is writing the life of Thomas Jefferson, and enquires whether any committees of correspondence were appointed by the Legislature of the Colony of Massachusetts Bay before 1773. Jefferson claims the invention of committees of correspondence for Virginia, and it has become a controverted point of history. Tucker cites in his letter to me Marshall's Life of Washington, Gordon, Mrs. Warren, and Samuel A. Wells. I referred to Gordon and Marshall, to Hutchinson's third volume, the Massachusetts State papers from 1764 to 1775, Tudor's Life of Otis, and Alden Bradford's History. And, as almost invariably happens upon a consultation of books to verify a fact or authenticate a recital, I became so much engaged in the research that it nearly consumed the day.

Boston, 17th.—Went to the State-House, and in the Secretary's office I saw Mr. Bangs, and extracted from the journal of the House of Representatives of the Province of Massachusetts Bay, of the 6th of November, 1770, the entry of an order for the appointment of a committee of correspondence to correspond with the Agent of the Province and others in England, with the Speakers of the several Assemblies, and with committees of correspondence appointed, or who might be appointed, by them.

There was a meeting of the Overseers of Harvard University in the Council-chamber at half-past twelve. I found them in session, and the President, Mr. Quincy, giving them an account of the recent disturbance among the students. He said, among other things, that he was not at liberty to mention what the Faculty had determined upon the whole affair, but that it would be made public to-morrow. The Senior class had been allowed to go to their respective homes without being informed whether they would have a Commencement or not.

Mr. James Trecothick Austin, the Attorney-General of the Commonwealth, made some acerbated remarks upon Mr. Quincy's statement, and Mr. Alexander H. Everett expressed himself surprised that the President should have declined communicating to the Board what had been the determination of the Faculty, although it was to be made publicly known to-morrow.

But this meeting was held by a regular by-law more than

thirty days before Commencement, to consider of the honorary degrees proposed by the Corporation to be then conferred; and the subject of the disturbances was not even properly before the meeting for discussion. I made this remark as serving to justify the President for his omission to make a full report to this meeting on the disorders of recent occurrence, and observed that I could readily conceive there might be very good reasons for the Faculty to withhold a premature report of their proceedings. It had been agreed that the meeting should be adjourned to the 21st of August, to receive the report of a committee of three upon the proposed honorary degrees. Mr. George Blake, however, thought it would be necessary that there should be an earlier meeting to consider of the disturbances, and on his motion it was agreed that the meeting should be adjourned to this day fortnight, the 31st of July, at ten o'clock in the morning, when President Quincy engaged to be prepared with a full report upon the subject. He agreed to this with some reluctance, complaining of having been much overburdened with labor, and of having expected to enjoy some relaxation during the vacation. It was two o'clock when the meeting adjourned.

QUINCY, 19th.—William Spear came this morning, and discoursed to me an hour or two upon various matters relating to my estate and affairs here. They are tedious, and irksome, and thorny, and I would gladly escape from them, but cannot. I suffer by carelessness and inattention to them. Mr. Spear gave me much good advice, and apprised me of various depredations committed upon my property, the remedy for which would be attention. This I resolved to give, as I have often resolved before.

I finally wrote to Mr. George Tucker, and enclosed to him a copy of the order upon the journal of the House of Representatives of the Province of Massachusetts Bay, of 7th November, 1770, appointing a committee of correspondence to correspond with the Agent of the Province in England, with the Speakers of the several Assemblies of the other Colonies, or with committees of correspondence appointed by them. The claim of Mr. Jefferson to these committees of correspondence as a Virginian

invention is like the claim of Amerigo Vespucci to the discovery of the new hemisphere. This search engaged me again in the perusal of the journal of the Massachusetts House of Representatives of the year 1773, and of the third volume of Hutchinson's History, both of which I went cursorily through, with occasional reference to Alden Bradford's History of Massachusetts, from 1764 to 1775. Hutchinson's History is such a tale of humiliations and discomfitures to the author, that it is scarcely conceivable how he should have had the patience to write it or the courage to leave it in manuscript to survive him. It is a precious historical memorial, as the narrative of the origin and progress of the American Revolution, by the most effective agent on the royal side in producing it; himself, too, a native of the Colonies, the representative not only of the transatlantic Government, but of the portion of the Colonial population which adhered to the mother-country and her cause.

20th. Copied into my letter-book the letter written last evening to my wife. This is noisome and to me useless labor, consuming time which might be fruitfully employed. But in my father's first letter-book I find him saying, on the 2d of June, 1776, that in all the correspondences he had maintained, during a course of twenty years at least that he had been a writer of letters, he never kept a single copy; and he adds, this negligence and inaccuracy has been a great misfortune to him on many occasions. A letter-book, a diary, a book of receipts and expenses—these three books, kept without intermission, should be the rule of duty of every man who can read and write. But to keep them perseveringly requires a character given to very few of the sons of men. Above all, it requires a character to which toil is a pleasure, and of which untiring patience is an essential element.

21st. I wrote two letters—one to Samuel Brown and one to E. Kirby, both at Brownsville, and in answer to letters from them relating to the monument to be erected over the remains of General Brown at Washington. They urge me to write the obituary inscription—a task from which I should have been glad to be relieved, but which I have, nevertheless, consented to undertake. General Brown is one of those men who have ren-

dered eminent services to this country and to whom full justice has not been rendered in return. He was a native of Pennsylvania; and it is a very remarkable fact that the people of that State, whose fanatical passion for Andrew Jackson can be compared to nothing but that of Titania, Queen of the Fairies, for Bottom after his assification, never manifested the slightest regard or gave a single token of gratitude to him. He made this remark once himself, with deep and indignant feeling, to me. He said nothing of Jackson, or of the senseless devotion to him of the Pennsylvanians; but he knew that his own services had been more arduous, and his sufferings infinitely more severe, in the cause of his country, than those of Jackson. But such is the nature of popular applause. General Brown died Commander-in-Chief of the army; and probably Jackson would never have been anything more, had not Congress, by reducing the army, dismissed him from his military station.

I employed the afternoon in reading over that part of Marshall's Life of Washington which preceded the commencement of our Revolution. I resumed also the sketch introductory to the discourse upon the life and character of La Fayette, which I had begun on the 4th of this month, and which, since that day, has remained untouched. I fear the thought is too unwieldy to be fully carried out by me.

I find in the newspapers notice of the death of Edmund Charles Genest, to whom I was once, forty years ago, a political antagonist.

26th. Mr. Quincy, the President of Harvard University, was here, and I had a long conversation with him on what is to be done with the disturbances among the students there. The Faculty—that is to say, Mr. Quincy, for the responsibility rests with him—have turned over several of the students guilty of breaches of the peace to the Court of criminal jurisdiction of the county, and three of them are under indictment by the Grand Jury of Middlesex, to be tried in September. They have also dismissed and expelled several others—eight particularly, from the Senior class. The others have received since they left college their parts for Commencement, and there are instigations to them to combine and refuse to perform. I asked

Mr. Quincy if he had looked forward to that contingency, to be prepared for it.

He said he had no reason to expect any such movement. I told him I should not be without apprehension of further disorder till the Commencement shall be over.

I urged him also to be prepared, at the meeting of the Overseers next Thursday, to sustain the measure of prosecuting in the Court of criminal jurisdiction students under matriculation at the University.

He said he did not consider that as a question to be discussed. The law was plain; and if the Overseers chose to alter it, there was no obligation upon him to dissuade them from such an intention.

I told him there was great diversity of opinion, and some public excitement, upon this question; that I believed it would be discussed; I hoped he would be ready for it, and my disposition would be to sustain him and the Faculty to the utmost extent of my power.

He thanked me for this notice, and said he would be prepared, both by argument and by precedent, to show the necessity and expediency of resorting to the Courts of criminal jurisdiction for the trial of criminal students. He spoke of Alexander Townsend as of an insane man, and of his showing my letter to him to Edmund Quincy, the President's son, as a proof of his insanity. He spoke also of his own remarks upon Southern students, which have been misrepresented, and to which an invidious application has been given. There is, in truth, among the students a contumacious and insurgent spirit, which he has been laboring to subdue, and which takes, to defend itself, the expedient of a personal attack upon him. His intentions are upright, and his sense of his own duties deep and conscientious. He writes with great force, but his elocution is embarrassed and stammering. His present situation is very critical, and there is a strong disposition in the public mind to take side against him. At the Board of Overseers, James T. Austin, bitterly hostile to him, Alexander H. Everett, not friendly to him, and George Blake, fond of speech-making, will take the lead. My course, as a friend of Mr. Quincy, of

the University, and of good education, will be to act as little as possible, particularly to trust little to my own discretion.

30th. Rode over and visited Mr. John Bailey, at Dorchester, and had with him two hours of conversation. There is at present a great calm in the political world, and no prospects upon which I can dwell with satisfaction. The system of administration for the government of the Union is radically and, I believe, irretrievably vitiated—vitiated at the fountain. The succession to the Presidency absorbs all the national interests, and the electioneering contests are becoming merely venal. My hopes of the long continuance of this Union are extinct. The people must go the way of all the world, and split up into an uncertain number of rival communities, enemies in war, in peace friends. Were it otherwise, and were the future destinies of the nation to be as prosperous and as glorious as they have been hitherto, my lease of life is so near its close that I should live to witness little of it. My own system of administration, which was to make the national domain the inexhaustible fund for progressive and unceasing internal improvement, has failed. Systematically renounced and denounced by the present Administration, it has been undisguisedly abandoned by H. Clay, ingloriously deserted by J. C. Calhoun, and silently given up by D. Webster. These are the opposition aspirants to the Presidential succession, not one of them having a system of administration which he would now dare to avow, and at this time scarcely linked together by the brittle chain of common opposition to the unprincipled absurdities of the present incumbent.

31st. At ten o'clock I attended at the Council-chamber the meeting of the Overseers of Harvard University. Lieutenant-Governor Armstrong presided, and there were upwards of thirty members present. There was a debate of two hours upon the question whether the meeting was public or private. Alexander H. Everett said an editor of a public journal (Mr. Hale, publisher of the Daily Advertiser) wished to be admitted to take minutes of the proceedings of the meeting.

This started the question; and no one could tell whether the meetings were officially public or private. By the usage, the

meetings in the Council-chamber had always been de facto private, and by the recent usage, when held in the Senate-chamber or the chamber of the House of Representatives they had been public. The Lieutenant-Governor decided, though declaring his own experience very limited, and wishing for direction from the Board, that the meeting was officially public; from which, after much discussion, and various motions, which were set aside, and one to refer the whole subject to a committee, which was rejected, Dr. Charles Lowell appealed, and the decision was reversed by a majority of at least three to one. The meeting was thus decided to be officially private.

President Quincy then read his statement of the proceedings of the Faculty in relation to the disturbances which have recently taken place among the students. He declared, however, that he made it on his own responsibility only, as a member of the Board, and without consulting either the Faculty or the Corporation.

After it was read through, a pause of silence for several minutes ensued, and then Alexander H. Everett moved that it should be referred to a committee of five; which was agreed to without opposition. The Chairman asked how the committee should be appointed, and was answered, By the Chairman. He named me, Governor Levi Lincoln, Dr. John Codman, Colonel Benjamin T. Pickman, and Alexander H. Everett.

I asked to be excused from serving on the committee, observing the inconvenience of my residence out of the city, and my own impression that, upon the statement that had been read, I saw nothing for a committee to report, except a general approbation of what had been done; remarking that the statement itself, as it had been made without consultation with the Faculty or the Corporation, did not seem to me to present a case for the action of the Overseers, whose general functions I understood to be to revise the proceedings of the Faculty and Corporation; and if they should now take the initiative of action, they would reverse that customary order.

I was not sustained in my request to be excused, but Mr. James Savage, Judge John Davis, and Richard Sullivan earnestly opposed it; and Mr. Sullivan moved an additional reso-

lution, charging the committee to prepare an address to the public on the connection of morals with an university education, and with a view to change the public opinion favorably to the limitation of the degrees to youths of exemplary character.

The Chairman asked if I persisted in my request to be excused.

I said I should not. I had hoped the Board would excuse me, but was mortified at having given rise to a debate; and, as the sense of the Board did not seem favorable to my wish, I should say no more about it.

The meeting was then adjourned till Thursday, the 21st of August, at ten o'clock, at the same place. Dr. Pierce, the Secretary, gave me the vote, and the statement of President Quincy, and promised to send me a copy of the printed circular of the Seniors. He said it was my charge to notify Governor Lincoln of his appointment as a member of the committee.

I asked the other members of the committee to remain after the adjournment of the Board, and they authorized me to agree with Governor Lincoln on a time of meeting, which, by Colonel Pickman's invitation, is to be at his house; and I am duly to notify them of the time.

August 8th. I attended at Colonel B. T. Pickman's at eleven o'clock. The other members of the committee, Governor Lincoln, Dr. John Codman, and Alexander H. Everett, soon came in, and I read to them the report I had prepared in performance of the commission from the Board of Overseers. It took me an hour and a quarter to read it, and it did not meet the approbation of any other member of the committee. They all thought it much too severe upon the students.

Governor Lincoln was entirely opposed to the prosecution of the students in the Court of law. He was also opposed to a resolution recommending that the President should, conditionally, cause the prosecution to be withdrawn. He was opposed to everything proposed in my report, but had nothing of his own to propose.

Mr. Everett was equally opposed to the prosecution at law,

but was in favor of the resolution recommending that the prosecution should be withdrawn. He also thought the report not only too severe upon the circular of the Senior class, but even unjust, because it was treating young men scarcely arrived at the age of discretion as if they were entirely responsible men. He thought, besides, that although the charges in the circular were very improper, as coming from under-graduates, they were upon the whole substantially well founded; that Mr. Quincy was a man very wanting in discretion—of which he had given many proofs. He specified his proposal, when a member of Congress, to impeach Mr. Jefferson, for which he could not obtain a second; and also his conduct to him last winter upon an enquiry respecting the conferring a degree of LL.D. on President Jackson without duly notifying the Board of Overseers. Mr. Everett said he had then prepared a conciliatory proposition, and went to President Quincy and proposed reading it to him; upon which he said to him, "I won't talk with you about it." He thought the report, therefore, incorrect in defending Mr. Quincy from the charge of indiscretion. That was his character; and his administration at the University was also very unpopular, as evidence of which he had received a letter from a friend in a remote part of the State, who, noticing his (Everett's) appointment as a member of this committee, says, "Cannot you contrive to get us rid of Mr. Quincy?"

I replied, that as to Mr. Quincy's general character for discretion, I did not think it a subject of enquiry or report by this committee; but I had undertaken to prove, and I thought had proved, that there had been no want of discretion in his conduct in relation to these transactions; that I believed neither Mr. Quincy nor any other public man of his standing could be exempt from some charge of indiscretion in the course of a long life, and if there was such a man, he was none the better on that account; that discretion was a negative virtue, perhaps possessed in higher perfection by knaves than by honest men; and that if the object of this committee was to contrive to get rid of Mr. Quincy, I was not a proper person to be a member of it, as I could give no countenance to any such design.

Dr. Codman said he was sorry to hear Mr. Everett quote this expression from the letter of his friend. He added, that he himself was friendly to Mr. Quincy, and preferred him to all the other persons who had been mentioned for the office at the time of his appointment; that he approved generally, and very highly, the substance of my report, but he wished it might be modified in the severity of its language respecting the misconduct of the students, and that it should avoid the expression of any opinion respecting the propriety of the prosecution at law.

Mr. Pickman declared his concurrence in all the opinions expressed in the report, and only wished that its severity should be softened.

Dr. Codman said that it had been evidently written under some excitement and personal feeling at the treatment of President Quincy by the students, and that a revisal might take off some of its sharpness.

I admitted that it had been written under excitement of indignation at the charges in the circular of the Senior class against President Quincy, who had been my intimate friend for nearly fifty years, without interruption even by the most earnest and ardent opposition of political opinions. He had been my unwavering friend, without a moment's interruption, and I had the most unbounded confidence in his integrity. But I declared myself not at all tenacious of my report, either as a whole or of any parcel of it. I would alter, amend, or entirely withdraw it, at the pleasure of the committee.

Dr. Codman proposed that Governor Lincoln and Mr. Everett should be a sub-committee to revise and amend my report, to be considered at an adjourned meeting of the committee next Thursday.

Governor Lincoln said it would not be in his power to attend a meeting next week; and he showed a great disinclination to take any charge upon himself in this affair, expressing a doubt whether he should even attend the adjourned meeting of the Overseers, and repeating that the President could not arrest the prosecution upon the indictment if he would. He disclaimed all ill will towards President Quincy, and said he had constantly

been under the impression, until very recently, that his administration at the University was very popular.

I said I knew well that the prosecution upon the indictment could not be arrested but with the consent of the attorney for the Government; but, as it had been commenced at the instance of the college Faculty, I had no doubt a "nolle prosequi" would be entered upon an intimation from the President that it was desired.

Mr. Codman then proposed that Mr. Everett and I should be the sub-committee to revise the report for an adjourned meeting of the committee next Thursday. To this I assented, and it was so voted by the committee.

Mr. Everett took with him my report, the President's statement, the circular of the Senior class, and a copy of the College Laws, received this morning while the committee were in session. Upon these papers Mr. Everett is to prepare his report, and communicate it to me by next Monday, and we are to report again to the committee at Colonel Pickman's house next Thursday morning at eleven o'clock.

It is possible that Mr. Everett and I may agree upon this point, but not probable. His principles in relation to the subject are entirely different, and indeed opposite, to mine. His object is a marked expression of disapprobation by the Overseers of the prosecution at law, and only such censure upon the riotous students as to leave on the public mind the impression that in the main they were right. He distinctly avowed that opinion this day. His object is to get rid of Mr. Quincy, and most probably to take his place himself. He will improve this adventure to that end with all his ability, which is great, and with all his address, which is small. For his manners are not more captivating than those of Mr. Quincy himself. I deeply sorrow that I am obliged to take any part in this controversy, and the more so because in wishing to sustain my friend Quincy I am fearful of injuring myself without benefiting him, and because I am much perplexed how to support him most efficaciously. I distrust my own discretion in the endeavor to sustain his, and am, above all, anxious not to aggravate where I would assuage.

13th. Called at Alexander H. Everett's house, and he gave me the report and resolutions which he had prepared for the committee of the Board of Overseers as a substitute for mine. The report is a mere caption to the resolutions, with an excuse for not presenting an address to the public, on the ground of wanting time to prepare it with due deliberation, and asking leave to sit again for that purpose. After some short discussion, I agreed to take Mr. Everett's report and resolutions and examine them, and report them to the committee for consideration to-morrow morning. I expressed very strongly my opinion against the pretension in the circular of the Senior class to be exempted from prosecution at law for property destroyed belonging to the University.

Mr. Everett thought the prosecution in this instance was unpopular.

I said I believed the pretension of the students would ultimately prove much more unpopular; but that I looked not to popularity, but to justice.

He said there were three members of the committee against the prosecution. I thought only two. He claimed Dr. Codman, whom I considered as only doubting. Everett then asked me to consider the claim of the students to exemption from prosecution on the ground of youth and inexperience; which I promised to do.

At eleven o'clock I attended a meeting of the American Academy of Arts and Sciences. There were less than ten members present, and the only communications received were acceptances of election of members. I had, at the statute meeting of last August, proposed the Rev. N. L. Frothingham as a member. I found on the book of nominations that this one had been acted on, the 27th of May last, and on enquiry was informed by Mr. Treadwell, the Corresponding Secretary, that he had wanted one vote of three-fourths of the ballots, and was therefore not admitted. Treadwell said Mr. Frothingham had been proposed once before. Dr. Bigelow asked me if I was acquainted with the merits of Dr. Jones, heretofore of the Patent Office. I was not. He said he was editor of the Journal of the Franklin Institute. The meeting was not more

than a quarter of an hour long, and, on the whole, did the most nothing of any meeting of a scientific body that I ever attended.

After it was over, I spoke to Mr. Bowditch, who is a member of the Corporation of the University, about the prosecution of the three Sophomores by indictment before the Court of Common Pleas for the county of Middlesex. He said the measure had been unanimously approved by the Corporation, and also by Judge Jackson, who had been a member of the Board, but had lately resigned. He said, too, that the prosecution was not a novelty, but that there had been repeated instances of it for the last fifty years, though never carried through to judgment. He said that thirteen of the students had testified at Concord without hesitation, and two after making some objection and having the law explained to them.

There is great excitement and agitation in Boston and the neighborhood on account of the destruction on Monday night, by a mob, of a convent of Ursuline nuns, at Charlestown. The immediate and ostensible cause of the outrage was a rumor circulated among the people that a young woman who had taken the veil and then ran away had been carried back and was detained there by force. There is a singular inertness in the public authorities.

14th. At eleven o'clock I went to Colonel B. T. Pickman's, and there met with him Dr. John Codman and Alexander H. Everett, the committee of the Overseers of Harvard University, with the exception of Governor Lincoln, who was absent. We discussed the report and resolutions proposed by Mr. Everett, and finally modified them so as to make a patchwork, to which we all agreed; asking to be discharged from the duty of preparing an address to the public. At the suggestion of other members of the committee, I promised to send Governor Lincoln a copy of our report and resolutions; and if he should approve them, which he will not, I am to present the report as agreed to by the committee unanimously. For this unanimity I have given up all my own peculiar opinions and the full exposition of them in the draft of a report that I had prepared. I have had some struggle in my own mind, and question whether

I ought to yield on points so important and so clear. I finally concluded that it would be most prudent to give way. There is only one member of the committee who fully agrees with me, and there are two most pointedly in opposition to my opinions.

While I was at Colonel Pickman's, Mr. George Odiorne came, and said he had been with Mr. Henry Dana Ward, of New York, out to Quincy to see me, and, hearing that I was in the city, they had immediately returned. Mr. Ward was very desirous of having some conversation with me, and Mr. Odiorne asked if I would call at his house, 43 Hancock Street. I went there from Colonel Pickman's, on the adjournment of the committee at one. Dr. Parkman had invited me to dine with him at two. I had accepted conditionally the invitation, and desired Charles, if I should not be at his office at one to go out with him, to give notice to Gillet, driver of the Quincy stage, to call for me at Dr. Parkman's at four.

At Mr. Odiorne's I met Mr. Ward, and found the subject on which they wished to converse with me was Anti-Masonic politics. Mr. Ward's ostensible object was to persuade the Anti-Masons of Massachusetts to be prepared to nominate Francis Granger for next President of the United States, and to agree that a National Anti-Masonic Convention should be called, to meet in June, 1835, for that purpose. There is a collateral question, who shall be voted for as Governor. of Massachusetts by the Anti-Masons of the State. Mr. Odiorne said they could not possibly vote for John Davis; but I told him I believed the Anti-Masons of Worcester County would do so. He spoke of Mr. Bailey, of Heman Lincoln, of S. Lathrop, and of Judge Morton, for whom he thought it was hardly possible they should.

I told him I believed it must be soon reduced to that—Davis or Morton; for if they should set up a candidate of their own they would be certainly and totally defeated. And as to the nomination of Francis Granger for President of the United States, they would do well first to try their hands at electing him Governor of New York. If they should succeed in that, and if Mr. Ritner should be chosen Governor of Pennsylvania,

hen there might be a reasonable foundation of a prospect upon vhich Mr. Granger might be brought forward as a candidate or the Presidency. For the present, I thought the project mpracticable.

This conversation continued upwards of an hour, and I found t necessary rather to infer the object of Mr. Ward's present visit to Boston from the whole tenor of his observations than from the direct proposition which he made. My inference was, that Mr. Ward's mission was to take the soundings of Anti-Masonry in Massachusetts in behalf of Martin Van Buren, and that the first step towards it is to turn over the Anti-Masonic votes here to Marcus Morton for the office of Governor.

18th. Morning visits from Mr. Bailey and Lieutenant-Governor Armstrong. The latter mentioned that the resignation by Mr. Edward Everett of his seat in the House of Representatives of the United States was announced in this morning's papers. Mr. Bailey thought the Anti-Masons could not support Mr. John Davis for re-election as Governor of the Commonwealth, notwithstanding his recent correspondence with Mr. Pliny Merrick. I fear they will not, but told him I believed he would be re-elected, and that the Anti-Masons would finally divide, and vote part for Davis and part for Morton. This, I apprehend, will be the end of Anti-Masonry in this Commonwealth.

19th. I was called from my visit in my garden to President Quincy, who returned last Saturday from his excursion to the State of New York. He seems to me not yet adequately prepared to meet the occasions immediately before him, and repeats what I have heard him say several times before, of his astonishment at finding all the young men whom he had treated with the greatest kindness combining in the Senior class against him. He said he should not have been more surprised if his two sons had come into his study and knocked him down. This is almost identically the saying of Pompey the Great when asked, what if Cæsar should cross the Rubicon. He repeated also the reminiscence of the proctor who was with him when Barnwell, of South Carolina, came to his study and announced

himself as from the nullification State. It was to him, and on that occasion, that Mr. Quincy told him he expected he would give trouble to the Faculty, and that he made some remark upon the licentiousness of Southern scholars, which this young man has perverted into an insidious charge against him.

I read to Mr. Quincy the report and resolutions which the committee of the Overseers have agreed to report to the Board, and told him that I had prepared a long report, which no other member of the committee had entirely approved, and to which Governor Lincoln and Alexander H. Everett were so strongly opposed that I had thought best to withdraw it.

Mr. Quincy was not satisfied with the third resolution proposed by the committee, and appeared exceedingly averse to any recommendation to discontinue the prosecution of the indictments against the three Sophomores at Concord unless they would plead that they would not contend with the Commonwealth. He said that two of them had been dismissed from the University, and therefore could not now submit to its laws.

This I did not know, and think it does not appear from the statement of the President or the two previous circulars of the Faculty. I told him that the third resolution was not in the form that I had proposed, and that I had assented to it only that a report should be presented for consideration of the Board to which all the members present of the committee could agree. I had thus far yielded my own opinion, but should readily acquiesce in a different modification of the resolution, or even to postpone it till after the Commencement. I requested him particularly to come prepared with all the precedents which had heretofore occurred of prosecutions at law against students, which had been commenced, and with authentic testimony to what stage the prosecutions had been carried; and he said he would. I saw that from some of the peculiarities of his temper, and from an hesitancy in his elocution, the students have lost the feeling of reverence for his character which is essential to the preservation of authority, and that it will be difficult, if possible, for him to recover it. The very familiarity of personal intercourse with him and his

family which he has allowed to the students beyond all former example, has, I believe, contributed to weaken his influence over them.

20th. I received by a special messenger a letter requesting me to bring with me to the meeting of the Board of Overseers to-morrow the draft of a report which I had prepared, but which the committee did not accept. I had filed it among my papers, not intending to take it with me, but shall comply with Mr. Quincy's request. Discretion would perhaps advise me to keep myself aloof from this new subject of public controversy; but a sense of duty to the country and my friendship for Mr. Quincy must be my guides.

21st. At ten I attended at the Council-chamber the meeting of the Overseers of Harvard University. But Dr. Pierce, the Secretary, did not attend the meeting; he had not sent the book of records of the proceedings of the Board, and had advertised the meeting for eleven o'clock. There were not a sufficient number of members present to open the meeting, and an hour of time was lost. When opened, presided by Lieutenant-Governor Armstrong. He called for the report of the committee on the degrees to be conferred. Alexander H. Everett, Chairman of that committee, not being present, the report of the committee on President Quincy's statement was called for, and I read and handed it in at the table. Richard Sullivan rose and said he had expected a different sort of report, and wished to know why the committee had asked to be discharged from the instruction to prepare an address to the public. He was not satisfied with the report presented, and could not give his assent to the third resolution. He wished to know why the committee had made such a report as that which had been read.

I then stated that there had been two meetings of the committee; that I had first sent to Governor Lincoln President Quincy's statement and a copy of the commission and instructions to the committee, requesting him to prepare a report to be submitted to the committee. He had returned the President's statement, and agreed to attend a meeting of the committee, but declined preparing the report, and expressed his

regret at having been placed on the committee, which, owing to his being much engaged in other business, was much to his inconvenience. I had been thus under the necessity of preparing a report according to my own impressions upon the subject, which accorded altogether with those expressed by Mr. Sullivan. This report I had read to the committee at their first meeting, and it had, unfortunately, not met the approbation of any one of my colleagues on the committee. Two of the members, Governor Lincoln and Mr. Everett, were decidedly opposed to some of its principles; a third doubted of the expediency of the prosecution at law of the students; and all objected to the severity of animadversion in the report upon the conduct of the students, and particularly upon the circular of the Senior class. It was not for me, under these circumstances, to press the report upon the committee. I accordingly withdrew it, and afterwards, with Mr. A. H. Everett, and then with the other members of the committee, except Governor Lincoln, at a second meeting, assented to the report and resolutions which had been read, to bring the subject in proper form before the Board for their consideration. I had, at the direction of the committee, sent a copy of this report to Governor Lincoln, and had this morning received from him an answer to my letter, declaring his approbation of the first and third resolutions and his dissent from the second—the third having been now so modified as to have removed his objections.

Colonel Pickman stated that his views had in general concurred with mine; that he should have preferred my report to that which had been presented, and had wished only for the softening of some of its expressions. Dr. Codman said that he too approved of my report in the main, but had entertained doubts with regard to the prosecution at law, and had agreed to the presented report for the sake of unanimity.

Alexander H. Everett made a speech of nearly half an hour, in favor of the presented report. He regretted the movement of Mr. Sullivan which had called forth the statement by me of the proceedings in the committee, and gave the reasons of his disapprobation of the prosecution at law. He thought the government of the University stood towards the students

"in loco parentis," and it was not for them to institute against them prosecutions at law. He likened the relations between teachers and pupils to those between father and son, between husband and wife, between guardian and ward, and thought that wherever there was a personal and intimate relation between a mere trespasser and the criminal law of the State the party offended should not be the prosecutor. He enlarged upon this position with some ingenuity and earnestness, but without apparent impression upon any member present. He objected with great warmth against making the resolution recommending the withdrawal of the prosecutions contingent upon the entire restoration of order. He said it was in the highest degree unjust to make the fate of persons under prosecution before a Court of law to depend upon the conduct of any other persons than themselves.

I replied to the parts of Mr. Everett's speech which assailed the principles sustained in my report; and Everett intimated that if I had insisted upon them there would have been a counter-report, exhibiting the views of that part of the committee who dissented from mine.

Mr. Sullivan moved that the draft of a report prepared by me should be laid on the table.

This gave rise to some discussion, and to various motions. Dr. Lowell, Judge Fay, and James T. Austin replied to Mr. Everett's argument against the prosecution at law. Austin especially referred to many cases of prosecutions by persons even in the relations of husband and wife against each other; Dr. Lowell referred to the law of the University which makes it the duty of the Faculty to prosecute for trespasses which they cannot detect or punish themselves; and Judge Fay expatiated upon the odious character of the privilege of exemption claimed by the students. Mr. Savage made a few remarks, and my draft of a report was called for by several members. I said I had it in my pocket; that if the Board thought proper to hear it I would read it now, even in its present condition —reserving to myself the right of revising it hereafter; but it would take upwards of an hour to read it, and the debate was running on till past one o'clock.

A motion then was made to discharge the committee from all further consideration of the subject, and to refer the report already made, my draft, and all the papers, to a new committee, of which I should be chairman, to report at an adjourned meeting of the Board next Monday, at ten o'clock A.M.

This motion prevailed, and Richard Sullivan, James Savage, the Rev. Convers Francis, and John Cotton were the members appointed on the committee. James T. Austin and Samuel P. P. Fay were successively appointed by the Chairman, but were excused at their own request, being much occupied about the riotous destruction of the Ursuline convent at Charlestown.

Mr. Alexander H. Everett then made the report of the committee upon the degrees to be conferred at the Commencement —all of which were approved. A letter was received from Dr. William Spooner, with his resignation, from age and infirmity, of his seat at the Board. They adjourned about a quarter before two. I asked the members of the new committee to stay; except Mr. Cotton, who had gone. I put all the papers into the hands of Mr. Savage, and then it was agreed that the rest of the committee should, without my presence, meet and examine my report, propose such amendments and alterations as they shall think proper, and then transmit the papers to me by Sunday noon; and that I should meet them on Monday morning at nine o'clock.

22d. We had cards this evening, which I left on receiving by a special messenger a letter from Richard Sullivan, returning the papers referred yesterday by the Board of Overseers to the new committee. They had their meeting this afternoon, and generally approved my report. They wish, however, to report only two resolutions: one, censuring the circular of the Senior class; and the other, approving the proceedings of the Faculty, omitting entirely that which recommended that the proceedings on the prosecutions at law should be discontinued; and they propose to expunge from my report the passages which allude to that recommendation. In this I shall readily acquiesce, as in the course of the discussion yesterday it was mentioned that there had been a meeting of the Senior class the day

before, thinly attended, which had adjourned to meet again to-morrow, to determine whether they would perform their parts on Commencement-day or not. I stated that I considered those meetings themselves as unlawful, and proving that the third resolution reported by the former committee could not safely be adopted.

24th. President Quincy came in the afternoon, after public worship, and read to me a long paper that he had prepared, to deliver at the Board of Overseers of the University, containing references to former cases of prosecutions at law of students, from the year 1749 down to the present time; with a narrative of the disorderly state of the University when he was appointed President, of the measures which he took for the restoration of order, and of the alteration, in 1829, of the law of the University respecting the prosecution of students in the Courts of law. It had been previously discretionary with the Faculty; it is now made their positive duty in cases of aggravated trespasses. There was also a very earnest argument to show the indispensable necessity of resorting to the tribunals for the preservation of peace, property, and persons belonging to the University. Mr. Quincy said he had prepared this paper in consequence of my saying that he would be called upon before the Board of Overseers to justify the prosecutions at law. He had understood me to mean that I should call upon him, and that I was averse to the prosecutions. I told him I had not intended to call upon him, unless it should be to answer objections from other quarters. I had wished to apprise him of questions which I knew would be made, and particularly to urge him to come armed with all the precedents that he could collect in answer to the charge of innovation. I was therefore gratified to find that he had prepared this paper, and hoped it would be read to the Board of Overseers and preserved among their records; that my own report was altogether in the same spirit, and that it was entirely approved by the present committee, and would be presented to the Board to-morrow.

I asked him what information he had of the proceedings of the Senior class. He said they had had a second meeting yesterday, and had passed and rescinded two or three resolutions,

but had finally resolved that those who had parts for Commencement should perform them, but that they should all refuse to receive their degrees.

I said that this might perhaps occasion some riotous disturbance to the performances, or on the evening of Commencement-day; and I hoped that he and the Faculty would be prepared for any such event as might occur.

He said he would call a meeting of the Faculty to-morrow morning and consult with them upon the proper course to be pursued. He said he had been constantly and ably supported by Dr. Ware in every measure adopted by the Faculty hitherto, but that he had great difficulties with the younger members even of that body; that three of the Tutors had been opposed to almost every measure adopted, and that the most important of all, the delay to give out the parts for Commencement till after the Senior class were separated, had been carried only by a majority of one.

25th. I went into Boston. Called at the savings-bank office for Mr. Savage, who went with me to the Council-chamber at nine o'clock. The other members of the committee, Richard Sullivan, Cotton, and Rev. Convers Francis, were already there. The committee agreed unanimously to my draft of report, with several amendments, to which I assented. They agreed also to propose a resolution as a substitute for that which recommended the withdrawal of the prosecution, which it was now proposed to strike out. The new resolution I proposed to stand as the first, and declared that the students of Harvard University have no just or equitable claim to exemption from prosecution in the Courts of law for trespasses upon property or against persons, whether belonging to the University or otherwise.

To this resolution, after some objection from Mr. Francis, supported by Mr. Sullivan, the committee at last unanimously agreed.

At ten o'clock the Board of Overseers met — twenty-one members present — and I read my report, which took an hour and a quarter. After it was read, and the three resolutions with which it concluded, the Lieutenant-Governor, as Chair-

man, enquired what disposal should be made of the report. Colonel Pickman, after a pause of two or three minutes, moved that it be accepted. Mr. John Wells made a short speech, commending the report, approving the motion that it should be accepted, and moved further that it be entered at large on the records of the Board, printed, and extensively circulated. This gave rise to a debate, which continued about two hours. Sidney Willard moved to strike out from the report every allusion to the withdrawal of the prosecutions, but was not seconded, and did not persist in the motion. The debate became quite desultory. Judge John Davis approved the sentiments of the report, though, he said, it was a melancholy one, but thought it an unfortunate time for its publication. He saw an inconsistency in adopting so severe a censure upon the conduct of the young men at the very time when the honors of the University were to be conferred upon them. He suggested the expediency of holding no Commencement the present year. He spoke of the recent meetings held by the members of the Senior class, and enquired if President Quincy had any information of their proceedings.

Mr. Quincy said his information was not very precise. There were fourteen members of the class who had taken no part in any of the disturbances; six who had not attended the recent meetings. These twenty were ready to perform their parts and take their degrees. There were twenty-eight who had held two meetings that week, and passed and rescinded several resolutions. Their last resolution was, that those who had parts should perform them, but that all should refuse to accept their degrees. This they had done in the expectation that they should receive their degrees the next year with the eight members of the class who have already been declared to have forfeited their degrees for the present year. The Faculty had therefore had a meeting this morning, and resolved that the President should send for every individual member of the class, and demand of him whether he would perform his part and receive his degree; and in case of his failing to answer satisfactorily on both points, the President should inform him that he will have neither part nor degree, and that the Faculty

will never recommend him hereafter for the reception of a degree.

There now ensued various propositions, and at last a vote to take a question upon each of the three resolutions appended to the report separately, and they were all unanimously adopted.

Then came the question upon the acceptance of the report. James T. Austin proposed that the President should send for the whole class, and read to them the report and the resolutions, and give them an opportunity to reply to them. He spoke of the report in extravagant and invidious terms of commendation; thought some of its expressions ought to have been softened, and said it was the severest punishment that had ever been inflicted upon any student of Harvard. He repeated, indeed, the remarks made by Governor Lincoln at the first meeting of the former committee, in language so identical that I concluded Lincoln had told him what passed at that meeting.

Chief-Justice Shaw answered Mr. Austin very fully. He said the report was no punishment, nor was it to be understood as such. The punishments had been inflicted by the government of the University. The report was a review of all the transactions both of the immediate government and of the students, made by a committee of the Overseers to them. It spoke of the past conduct of these young men with severity; this was not part of their punishment, nor so intended; it was incidental to the exposition of the condition of the University, which the committee was charged to present, but formed no part of the punishment.

I observed that it was analogous to the remarks which it is usual for judges to make on pronouncing sentence upon a criminal. These remarks might occasionally be felt by the criminal as a punishment more severe than the sentence itself, but formed no part of the punishment. I added that the resolutions as adopted were the act of the Overseers, and expressive of their sense; that the report was merely the act of their committee addressed to them, and at their disposal; and I hoped, if the Board should direct that it should be printed, they would not permit its publication; for I believed its first effect would be to irritate and inflame the temper of the young

men censured in it; make them pass an unpleasant Commencement-day, which was far from my wish or intention; and perhaps even excite them further to fresh disorders injurious to themselves.

Dr. Lowell concurred with these views; he wished the acceptance of the report now, and its publication hereafter. His hope was that its tendency would be to prevent the recurrence of such disorders hereafter; and, having himself a son to enter the present year, it would be with terror rather than with satisfaction if he could not indulge this hope.

Mr. Quincy said it would be impossible for him to call the class together and read this paper before Commencement morning—the students themselves being occupied with their own preparations for Commencement, and the inauguration of three professors, which was fixed for to-morrow, necessarily absorbing his time.

Mr. Austin's motion was not supported, and the report was accepted with only one dissenting voice, which was that of Judge Davis. He said his objection was only to the time, and not to the sentiments in the report.

Mr. Savage moved that President Quincy should cause the publication to be made after Commencement; but Dr. Lowell made some objection to this, and I said I should be content to leave it at the discretion of the President; upon which Mr. Savage withdrew his motion, and the meeting was dissolved.

I asked President Quincy that when my report should be printed, the vote for which was unanimous, he would have a proof-sheet of it sent to me for revisal; he promised that he would. He showed me a letter from one of the refractory Seniors, named La Branche, one of the first in the class, full of compunction and bitter regret, acknowledging and thanking Mr. Quincy for the kindness which he had uniformly shown him, and lamenting the necessity under which he felt himself of declining to take his degree, but declaring that he could not conform to the vote of the class to perform the parts and then refuse the degree, and that he should, therefore, not perform his part. A curious letter, and strong exemplification of the convulsive struggle in the mind between the sense of right, the

consciousness of wrong, and the cowardly spirit of dishonest combination.

President Quincy had expressed himself extremely well satisfied and grateful for the support given to him and to the government of the college in my report.

29th. I went immediately after dinner to my garden, but was called back to two other visitors, from Charleston, South Carolina—Mr. Yeadon, editor of the Charleston Courier, who brought me a letter from Joel R. Poinsett, and Mr. Levy, whom he introduced to me as a citizen of Charleston. Mr. Yeadon spoke with some concern of the political condition of South Carolina, where the Nullification and Union parties are still at issue with each other, and still mutually inveterate.

I observed that in that controversy the Union party had conceded too much to their adversaries.

Levy said that, if so, Mr. Jefferson's doctrine was the cause of it, and that if the Union party had not held out a strong adhesion to State rights they would have been officers without an army.

Mr. Yeadon said they had much anxiety about the appointment of a Judge of the Supreme Court in the place of Judge Johnson, and hoped it would be Mr. Pettigru—Colonel Drayton having, by his removal to Philadelphia, ceased to be considered a citizen of South Carolina. He said, further, that when President Jackson's first Cabinet was broken up, he offered the office of Secretary of War to Colonel Drayton, by whom it was declined; and that Drayton was the real head and founder of the Union party. He said, too, that at the next session of the Legislature the Nullification party would call a convention of the people, and thereby procure an amendment to the Constitution of the State prescribing the test oath, to establish the State authorities as the only sovereign powers in this Union. And he alluded to the apprehension always prevailing in the South, that the people of the North have a perpetual propensity to promote the abolition of slavery in the South. This ghost, I believe, will haunt them till they bring it up in reality. I said I had no longer the confidence in the long duration of the Union that I once had; but did not say why.

30th. President Quincy was here with the proof-sheets of my report to the Overseers on the recent disturbances at the University. He said the Faculty had determined to have fifteen hundred copies of the papers printed, and asked how many copies I should wish to have. I said twenty would be as many as I should want. I revised the proof, which, as usual, much needed it, and he took the papers back with him. He is in very high spirits at the issue thus far of his troubles, and I hope understands that he is not yet out of them. He said there had been admitted seventy-six students into the Freshman class, and that a large portion of the late Sophomore class had applied for re-admission, and were to pass examination this day. I indulge hopes that the sequel of this controversy may promote the cause of good morals and the interests of the University. But with these hopes are mingled painful apprehensions both with regard to my friend, to the laxity of discipline so irresistibly spreading, and to the prospects of the coming age.

September 3d. I received this morning a printed sheet, in octavo pamphlet form, with "Author's respects" written at the corner of the first page, headed "Review of the Character of Jesus." It is an argumentative attack upon the character of Jesus, his morals, and his religion, in the Voltaire and Tom Paine style. There is a statement that it is sent to the clergy generally in Massachusetts, and to six or eight laymen, on an average, in each town of the State. There is, therefore, party organization, no inconsiderable expense, and learning and talent, and systematic proceeding, in this crusade of infidelity. I read the paper, suppressing as well as I could my feelings of indignation, and asking myself what can be the motive and the end of these things.

6th. Early this morning I went into Boston. At ten o'clock I went to the Council-chamber, in the State-House, where I met a few acquaintances and many strangers. It was the anniversary of La Fayette's birthday, and the day fixed for the commemoration of his life and character by the young men of Boston. A large procession, civil and military, was formed, which went from the State-House to Faneuil Hall, where a

splendid oration of an hour and fifty minutes was delivered by Edward Everett. He commenced precisely at two o'clock, and for lack of time abridged his discourse perhaps nearly an hour. It was received with universal applause, and in the delivery was often interrupted by long-protracted shouts and hand-clappings of exulting approbation. It was delivered every word from memory; his manuscript lying on the table, and he never once recurred to it. The oration was preceded by a dirge of Handel, with appropriate words in prose adapted to the music; an admirable prayer by Mr. Frothingham; a requiem in verse —the words by Grenville Mellen, music by Lowell Mason; and was followed by a hymn—words by Isaac McLellan, Jr., music by G. J. Webb. It was past four o'clock when the ceremonies closed.

I walked in the procession with William Jackson, the Anti-Masonic member of the National House of Representatives from the First Congressional District of the Commonwealth, who, as we were walking, asked me what they should do at their Anti-Masonic State Convention, which is to meet next Wednesday, at Boston, to nominate candidates for the offices of Governor and Lieutenant-Governor for the ensuing year.

I told him I knew not what they should do, and was too certain they would not do what I should say. After some further conversation, I said I had some weeks since said to one of the leading Anti-Masons, it was, in my opinion, the true policy of the Anti-Masons to support the re-election of Governor Davis, and wished they would; that shortly after, the gentleman to whom I had said this mentioned it to another, who intimated a wish, if that was my opinion, I should not much divulge it; and I had, accordingly, forborne to speak upon the subject.

Mr. Jackson did not concur with me in opinion, and thought it was impossible that the Anti-Masons should support the re-election of Mr. Davis.

I said the only alternatives were to vote for Morton, which would merge Anti-Masonry in Jacksonism, or to nominate a candidate of their own with a certainty of defeat. We discussed amicably this question till we came to the door of Faneuil Hall, without approaching to an agreement.

I received at Boston this morning a letter from C. H. Pasley, Colonel of Royal Engineers, in England, dated Chatham, 20th June, 1834. He has been publishing a work upon Weights and Measures, of which he presents me with a copy (but that was not with his letter), and says he has done justice to my report made to the Senate of the United States in 1821, acknowledging that my historical account of English weights and measures is more correct than any that has been given by any English writer, including the reports of the committees of the House of Commons.

This acknowledgment, thirteen years after the publication of my report, was very gratifying to me. If either of my children or any of theirs should ever read this page, let me tell him that Colonel Pasley's testimonial to that single point, the accuracy of my historical investigation of English weights and measures, is but one of many discoveries which he will find in my report, if he will have the courage and perseverance to read, and examine it as he reads. He will find the history not only of English, but of Hebrew, Greek, Roman, and French weights and measures, traced to their origin, in the natural history of man and of human society, such as he can find in no other writer, ancient or modern. He will find a philosophical discussion of the moral principles involved in the consideration of weights and measures, and of the extent and limitation of its connection with binal, decimal, and duodecimal arithmetic, for which he might look in vain elsewhere; and if he should remark that not one of his countrymen ever noticed these peculiarities of that report, he may amuse himself by enquiring why and how it has happened. The report, from the day of its publication, has, in this country, scarcely been known to exist; and this commendation of it, coming back from England, is, therefore, the more welcome to me.

The other letter was from Charles A. Davis, enclosing a London newspaper with a very favorable review of Major Jack Downing's Letters—as gratifying to him as Colonel Pasley's notice is to me.

Mr. Wilde told me he had seen in a New York paper mention made of Pasley's book, and of its remarks upon my report.

11th. Mr. Quincy spoke of the present condition of the University as on the whole satisfactory, though with some qualification. The prosecutions at the Court of Common Pleas in the county of Middlesex have terminated as he would have wished. One of the young men who were indicted having made full confession, and thrown himself on the mercy of the Faculty, the prosecution had therefore been withdrawn; another had pleaded a "noli contendere," and had been sentenced to a fine of twenty dollars upon one indictment and thirty dollars upon the other; and the third has absconded. About ninety students have been admitted into the several classes. Of the Junior class, the whole of whom, excepting three, were dismissed as Sophomores, thirty-three have applied for re-admission. Sixteen of them have been re-admitted, and no decision has yet been made upon the rest. There was some disorder in the Freshman class the night before last, by a bonfire made in the college yard; upon which the Faculty met, and closed the term of probation of one student detected in the act of making the fire. The number of the Freshman class is upwards of seventy, and there will be more than forty finally in the Junior class.

I spoke to Mr. Quincy of the pamphlet sheet I had received under a blank cover, called a Review of the Character of Jesus, and asked him if it had been sent to him. He said he had not received it, but that he had received several other pamphlets of the same stamp. I asked him if he knew who and what this faction of atheists were, and how they were working. He knew not much about them, but said they had weekly meetings on Sundays at the Federal Street Theatre, where the most unqualified atheism was preached; of which he gave me a shocking specimen. I asked him if he did not think that a steady watch should be kept over the progress of this spirit, with a view to counteract its mischievous tendencies. He said he did, but did not know how it was best to be counteracted.

October 9th. This was another day of disappointment to my occupations. Charles found me the volumes of Lacretelle's History of France containing the period immediately preceding the French Revolution. The weakness of my eyes allowed me

to read only a few pages of it, and I could read nothing else. I wrote nothing. Mr. Plumer's conversation was chiefly upon New Hampshire politics, in which, or in any other politics at this time, there is nothing of absorbing interest. The prosperity of the country, independent of all agency of the Government, is so great that the people have nothing to disturb them but their own waywardness and corruption. They quarrel upon dissensions of a doit, and split up into gangs of partisans of A, B, C, and D, without knowing why they prefer one to another. Caucuses, County, State, and National Conventions, public dinners, and dinner-table speeches two or three hours long, constitute the operative power of electioneering; and the parties are of working-men, temperance reformers, Anti-Masons, Union and States-Rights men, Nullifiers, and, above all, Jackson men, Van Buren men, Clay men, Calhoun men, Webster men, and McLean men, Whigs and Tories, Republicans and Democrats, without one ounce of honest principle to choose between them. New Hampshire is governed by a knave of the name of Isaac Hill, editor of a newspaper, mail contractor, and now a Senator of the United States—just cunning enough to grow rich by railing against the rich, and to fatten upon the public spoils, bawling, Democracy. This is the besetting sin of popular governments, and it is now as it always has been. Van Buren is a demagogue of the same school, with a tincture of aristocracy—an amalgamated metal of lead and copper. There are five or six candidates for the succession to the Presidency, all of them demagogues, and not one of them having any consistency of system for the government of the Union.

Plumer asked, as others have asked, whether they might not go back to the last Administration. They might as well ask the resurrection of one dead man to life by touching the bones of another—a miracle never repeated since it was seen at the sepulchre of Elisha. I have nothing henceforth to look to but the grave, and, if possible, to withdraw from the public scene without waiting to be pushed from it. May it please the Giver of all good to guard me from the disgrace of dishonoring my last days by loitering too long upon the stage!

WASHINGTON, *November* 29th.—Mr. Silsbee, the Senator,

called upon me this morning, and mentioned to me his intention to decline a re-election, and his wish that I should be elected in his place. I urged him not to decline, and told him that if he should not be a candidate I should leave the Legislature to choose whom they pleased; but if he was, I would not suffer my name to be used against his, and would immediately take measures to prevent it.

He persisted in his intention to decline, but seemed to have some doubts whether it would be proper for him to withdraw his name.

I said, if that was his determination, I thought there could be no impropriety in his making it known; and if he did not, I should expect he would be re-elected—the party with whose opinions he concurred being stronger this year in the Legislature than for many years past, and I had never heard from any one connected with the party a whisper of dissatisfaction with him. I said it was not the practice of that party capriciously to drop persons in office willing to be re-elected, nor was it the custom of the people of the State. I should, of course, expect his re-election, if he would consent to be rechosen, as I hoped he would.

He appeared to persevere in his resolution, but said he had spoken to no other person on the subject. He spoke much also of the prospects of the next Presidential election, and told me that Mr. Webster, to his certain knowledge, had indulged not only the hope but the expectation of being a successful candidate for the Presidency at the ensuing election.

I said I had heard so, but could not believe it, holding his sagacity and penetration in higher esteem than to be accessible to so much delusion. There is not at present the color of a prospect of any one opposition candidate's being even formidable. Mr. Silsbee concurs with me in this opinion.

December 1st. I walked to the Capitol, and took my seat in the House of Representatives about eleven o'clock this morning; and after an hour of greetings among the members of the House with one another, at noon, John Bell, of Tennessee, the Speaker, took the chair, and the Clerk of the House, Walter Franklin, called over the roll of names of the members of the

House by States, beginning with Maine, and in each State alphabetically. The new members elected since the last session were called over separately after the rest, and were called up at the left hand of the Speaker's chair, and he administered to them the oath to support the Constitution of the United States. He then announced that one hundred and eighty-eight members had answered to their names.

A message had been received from the Senate that they had formed a quorum and were ready to proceed to business, and had appointed, on their part, a committee of notification to the President. McKinley, of Alabama, moved the appointment of a committee of notification, on the part of the House, to the President, and then a message to the Senate to inform them of the quorum in the House.

Ward, of New York, moved the resolution for the supply of an equivalent for three daily newspapers to the members, and the resolution that the daily hour of adjournment of the House, till otherwise ordered, should be twelve o'clock noon. The House adjourned soon after one o'clock.

15th. At the House, there was a joint resolution reported by the Committee on the Public Buildings, that a committee be appointed to contract with four American artists for four historical pictures, to fill the four vacant frames in the rotunda—the subjects to be selected by the committee in consultation with the artists.

I somewhat inconsiderately moved to strike out the word "four," so as to leave it discretionary with the committee to employ one or more artists; observing that if four different persons must be engaged to paint four pictures, there would be danger that a part of the work would not be worthy of the place or of the dignity of the nation. I doubted if four native artists could be found of eminence in the profession so transcendent as to ensure the performance of four masterpieces.

This brought up successively three members of the reporting committee, Leonard Jarvis, Henry A. Wise, and A. Ward, who, with great vehemence, opposed my amendment, and insisted that great painters were in this country in such abundance that the only difficulty would be in making the selection.

T. Burges, of Rhode Island, supported my motion, but rather directed his remarks to the selection of the subjects, and was very sarcastic upon the arguments of the members of the committee, especially upon Wise, who replied with more passion than wit.

I thought my motion would have been voted down by a sweeping majority, but on taking the question one hundred and four voted for it and not thirty against it. The selection of the subjects then came up again, and in the midst of the debate Clayton, of Georgia, moved to adjourn; which was carried.

17th. Clayton's resolution of instruction to the Committee of Ways and Means for remission of duties on locomotive-engines and railroad-car wheels imported within two years being taken up, the debate was on Denny's motion to amend by making the reference to the Committee of Manufactures. Speeches from Dickerson, of New Jersey, Mason, of Virginia, Clayton, Denny, Speight, and Stewart, who moved to lay the resolution upon the table. Clayton demands the yeas and nays; which are taken—ninety-two to one hundred and eight. Chambers resumes the debate for making the reference to the Committee of Manufactures; but the House soon passed to the orders of the day.

19th. Clayton's resolution for repealing the duties on locomotive-engines and railway-car wheels further debated. Short speech from Ewing, of Indiana, for reference to the Committee of Ways and Means; from Rencher, of North Carolina, to the Committee of Manufactures; and Beardsley, of New York, now moves to lay the resolution on the table, though he voted against the same motion when made by Stewart on Wednesday. He gave indifferent reasons for changing his vote; but the real reason was, that the manufacturing portion of the majority had taken the alarm, and that it had been concerted out of the House that they should be quieted.

Beardsley withdrew his motion at Clayton's request, to allow him to reply to Rencher, which he did by disclaiming all intention to disturb the compromise or to countenance protection. Binney made a speech in favor of the resolution. Dickerson

renewed Beardsley's motion to lay the resolution on the table, but withdrew it to allow Burges a few strokes of cut and thrust at the compromise, after which he resumed the motion to lay on the table, which was carried, by yeas and nays—one hundred and twenty-three to eighty-five—a perfect reversal of the vote of Wednesday, effected by the change of Beardsley and his phalanx.

The joint resolution for the sale of the lion and the horses was read the third time, and passed. It authorized *and required* the President to cause the sale to be made. I moved to strike out the words "*and required*," which assumed an imperative tone, discourteous from one co-ordinate department of the Government to another. The amendment was adopted without opposition, and Peyton thanked me after the adjournment for making the motion.

20th. I amused an hour of this day in reading an address delivered at Charleston, South Carolina, the 5th of last month, before the Hebrew Orphan Society of Abi Yetomim, by J. C. Levy, their President. He enclosed me a copy of it, with a note assigning as his reason that the newspapers had formerly announced me a member of the Society for the Conversion of the Jews; and adds two important remarks, charging that Society with ignorance of the Hebrew character, and conjecturing that I had taken things on the representation of others, because there are no Jews in New England. If I ever belonged to a society for the conversion of the Jews, I had entirely forgotten the fact. I may have been called upon for a contribution to some such society, and thus had my name recorded as a member of it without intending it; but it evidently gave great disturbance to the synagogue, and has seriously alarmed them for the rite of circumcision. Mr. Levy's address is a compound of commonplaces upon benevolence, of complaints of persecution upon the Jews, and of gloriole upon the Abi Yetomim Society, at Charleston, celebrating their thirty-third anniversary, and the dedication of their hall, which their liberality has enabled them to build. It is a good sample of Jewish tenacity, coupled with a laudable zeal of charity. As to the conversion of the Jews, the people of Charleston

might be much edified by a forensic conference between J. C. Levy and Bishop England.

22d. Hubbard, from the joint committee in honor of La Fayette, told me they had agreed that the oration should be delivered on Wednesday, the 31st instant, if that day should suit my convenience; to which I assented. He said the committee proposed to report to-morrow.

23d. My time is now so much absorbed in the preparation of the second copy of the oration upon the life and character of La Fayette that my diary and correspondence run into arrears, and all other business is neglected. And my second copy will still be too long by one-half. I have not time to write it over a third time—which I greatly regret. Hubbard, from the joint committee on the resolution for the delivery of an oration on the life and character of La Fayette, reported a concurrent resolution fixing the 31st of this month, at half-past twelve o'clock, for that ceremony. It was read twice, and ordered to be engrossed for a third reading to-morrow.

24th. I had hoped to finish by this day my second and abridged oration upon the life and character of La Fayette, but am disappointed, and have yet work for three or four days. At the House, the concurrent resolution fixing the 31st instant for the delivery of the oration upon La Fayette had been yesterday ordered to be engrossed for a third reading; but this morning the Speaker said it was a concurrent and not a joint resolution, and did not require three readings. He should therefore consider it as passed, and send it to the Senate for concurrence.

When the resolution offered yesterday by Mr. Lincoln, to call upon the President for information of the state of the negotiation respecting the Northeastern boundary, came up, Gorham Parks opposed its passage, in a long, acrimonious speech, professing at the same time to be altogether indifferent about it, and objecting especially to the latter part of it. His object seemed to be to vent his spleen against the State of Massachusetts, and to rouse the party feeling of the Administration men to put down the resolution.

Evans, of Maine, answered him with a mild, temperate, playful, and cutting severity, exposing the inconsistencies and profli-

gacy of the party in Maine, which have used this controversy as an engine against the last Administration, and are now tamely sacrificing the territory of the State itself in servile submission to the present Administration. Evans, among other things, noticed the boisterous nullification doctrines of the party in Maine until the President's proclamation of December, 1832; referring to debates in the Legislature, in which he had opposed in vain those doctrines, and to the tameness with which they have been abandoned since the proclamation.

T. F. Foster, of Georgia, followed Evans with a spirited speech in honor of nullification. Lincoln replied fully to the objections of Parks. F. O. J. Smith makes a speech against that of Evans, but says he shall vote for the resolution.

The orders of the day were called for at the expiration of the hour, but the House were so much amused by the debate on Lincoln's resolution that they refused to pass to the orders, and the debate continued till past three, when the House adjourned over to Saturday.

Beatty, of Kentucky, nettled at the failure of his motion yesterday for a joint resolution to adjourn over to Monday, now opposed the motion to adjourn over Christmas-day at all, and called for the yeas and nays; but the House denied them.

There is no trial of temper more provoking than that of conflicting with a majority of a deliberative assembly, and none where a manifestation of temper is more useless and unwise. I have fallen into this error more than once, and occasionally made myself exceedingly obnoxious by it. The manifestation of temper must be carefully distinguished from resistance to the will of a majority, which is sometimes a duty of the highest order.

26th. Visit from Persico, who asked me to return his contract for the execution of the two statues of Peace and War, written by myself, and the last act of my official life as President of the United States. I promised to return it to-morrow, proposing to have in the mean time a copy of it made to keep. Persico invited me to go to his rooms on the Capitol Hill and see a collection of pictures by some of the masters of the Italian schools, which he brought with him from Italy on speculation,

and wishes to sell, and a marble bust of the President, of which he proposes to make a present to him on the 8th of January next. Persico is desirous of further employment by Congress, and wishes to make friends.

I advised him to visit Mr. Jarvis, Chairman of the Committee on the Public Buildings, and Mr. Polk, Chairman of the Committee of Ways and Means, and invite them to go and see his bust of the President, and to be careful not to omit making the present on the 8th of January. Just then a renewed fancy took Mr. Persico to make a marble bust of me. He had entertained this fancy while I was President, and when his being employed by the public depended upon me. Before he went to Italy he had taken the mould of this bust in clay; and when he had been there about two years, he sent me a cast of it in plaster of Paris, with some enquiry whether I should prefer to have it in marble. I was then not in public life, and alike indifferent to busts whether in marble or in plaster. I did not answer his letter. He now begs me to give him one more sitting, that he may finish in higher perfection the model, and is fully determined to make the bust in marble and to send it to me. I desired him not to give himself that trouble; but he insisted upon it, and, I have no doubt, will persist in his determination till he shall find it more convenient to desist from it; and he knows that for me the intention is equivalent to the deed.

27th. Robert T. Lytle, of Ohio, took his seat and was sworn as a member to fill the place vacated by his own resignation. Bynum, of North Carolina, offered a resolution calling on the Executive for information in relation to the relative positions of the province of Texas and the Government of the United States, and the progress made towards running the boundary line according to the treaty of 22d February, 1819.

L. Lincoln's resolution to call on the President for information of the state of the negotiation with the British Government respecting the Northeastern boundary was taken up. Parks made a short reply to the speeches of Lincoln and of Foster, of Georgia, on Wednesday. Ransom H. Gillett, of New York, moved to lay the resolution on the table; which was rejected, by yeas and nays—seventy-seven to seventy-nine.

Grinnell asked for the yeas and nays upon the resolution; was adopted—eighty-seven to seventy-nine. The members from Virginia generally, and Evans, Hall, Mason, and Smith, of Maine, voted for the resolution; the New York phalanx all against it.

Message from the President, with report from the Secretary of State, and the correspondence with the French Government respecting the refusal of the Chamber of Deputies to appropriate for the payment of twenty-five millions of francs, stipulated by the treaty of 4th July, 1831. Referred to the Committee of Foreign Relations, and ten thousand copies to be printed. Adjourned at two. Library; and went with Persico and saw his bust of the President, and his pictures.

29th. Jarvis, from the Committee of Foreign Relations, reported two bills, one to carry into effect the Convention between the United States and Spain . Resolution offered last Wednesday by Reynolds, of Illinois, that in all future elections, by the House, of officers, the vote shall be given vivâ voce, postponed, at the motion of Reynolds, until Tuesday, 5th January.

Bynum moved that the resolution offered yesterday by him, concerning the province of Texas and the boundary of Mexico, be laid on the table; carried, Sevier, of Arkansas, "non obstante." Sevier moved a resolution that the President be requested to negotiate with Spain for her right and title to the country lying between the Sabine and Red Rivers, in the Arkansas Territory.

The bill for regulating the pay of naval officers further debated in the House, as reported from the committee of the whole, by Hubbard, Fillmore, Watmough, McKinley, Vanderpoel, Reed, Mann, of New York, Wayne, Mason, of Virginia, Brown, and Harper, of Pennsylvania; no decision. Hubbard moves that the ladies be admitted to the privileged seats on Wednesday; carried. Adjourned at three.

30th. Sevier's resolution, to request the President to negotiate with Spain for the country lying between the Sabine and Red Rivers, was about to pass without opposition, when I made objection to it, as an extraordinary call to negotiate with Spain

for territory on this continent, where Spain for many years has had no right to any territory. I moved to lay the resolution on the table.

Sevier replied, and persisted in asking a vote upon his question.

Polk objected to the resolution, on the ground that the House have no right to interfere with the President's power to negotiate, and moves to lay on the table.

Cambreleng asks Polk to withdraw his motion, and that the resolution should be directly met by the House and rejected.

Polk accordingly withdraws his motion. Archer makes a warm speech against the resolution. Mercer calls upon Sevier to withdraw his resolution, or says he will be obliged to ask the yeas and nays; he thinks it not sufficient that it should be rejected.

Sevier complains of fire from all quarters of the House, and withdraws his resolution.

31st. The House was called to order, as usual, at twelve o'clock. The journal of yesterday was read. At a quarter-past twelve I accompanied the members of the joint committee of arrangements on the part of the House—Hubbard,

—to the Senate-chamber, where seats had been assigned to us at the right hand of the Vice-President's chair. The President of the United States, with the Secretaries of State, Treasury, War, and Navy, the Postmaster-General, and Attorney-General, came in and took seats in front of the Secretary's table. At half-past twelve we proceeded to the House of Representatives: first the committee of arrangements of both Houses, whom I followed; then the Senate, preceded by their President; then the President of the United States and heads of Departments.

I took the Speaker's chair, which he left for the purpose, and I delivered an oration upon the life and character of La Fayette, which occupied two hours and fifty minutes. The House and galleries were crowded; many ladies in the seats of the members upon the floor. Immediately after closing, I left the Speaker's chair, which he resumed, and the House adjourned over to Friday. The President and the heads of Department and the members of the Senate immediately withdrew.

My voice held out far beyond my expectation. Many of the members greeted me with congratulation. I came home, relieved from great anxiety.

January 7th, 1835.—Hamer, of Ohio, offers a resolution instructing the Committee on the Judiciary to enquire into the expediency of amending the Constitution of the United States so as to limit the services of the Judges of the Supreme and inferior Courts of the United States to a term of years.

Evans moves the question of consideration; Hubbard and Mardis call for the yeas and nays; L. Williams moves a call of the House; not carried. The House refuse to consider the motion, by yeas and nays—eighty-four to ninety.

8th. Taylor, of New York, moved the reconsideration of the vote of yesterday, refusing to consider the motion of enquiry for an amendment of the Constitution limiting the commissions of Judges to a term of years.

The Speaker finally pronounced it a new motion to consider the resolution, and not an impracticable motion to reconsider. The House now voted, by yeas and nays, to consider—ninety-six to ninety-two. Hardin moved an amendment, that they should be limited to a certain age—sixty-five or seventy-five. Taylor accepted the amendment. Vance moved an amendment, that the President should have no power to remove from office without concurrence of the Senate.

The Jackson Republicans of both Houses of Congress had a dinner at Brown's Hotel to celebrate conjointly the victory of New Orleans and the extinction of the national debt, both of which they hold as belonging to the glorification of Andrew Jackson. Adjourned at three o'clock. Lane, of Indiana, referring to the rejection of the bill for the relief of the city of Alexandria, told me that he thought there was now a majority of the House of Representatives against internal improvements.

12th. Met the select committee on the bill from the Senate for establishing the boundary between the State of Ohio and the Territory of Michigan. Present, H. Binney, Murphy, Dickson, and Bynum; absent, Mason, of Virginia, and Thomas, of Maryland. After some conversation, the committee agreed to meet to-morrow morning at ten, giving notice to Lucius Lyon,

the delegate from the Michigan Territory, and to T. H. Vinton, and William Allen, member from the State of Ohio; which I gave. Mr. Heath, member from Baltimore, spoke to me as I was going to the committee-room.

In the House, I moved, by direction of the committee on the Michigan and Ohio Boundary bill, that it be printed; which was ordered. McCarty, of Indiana, moved two resolutions respecting the public lands: one, of instructions to the Committee on Public Lands for equalizing and reducing the salaries of Registrars and Receivers, which was adopted; and the other, a call upon the President.

13th. Met at two o'clock the select committee on the Michigan and Ohio Boundary bill from the Senate. Present, Binney, Murphy, Dickson, Bynum, and Mason; absent, Thomas, of Maryland. T. H. Vinton, of Ohio, L. Lyon, the delegate from Michigan, and a person named Stickney, who lives on the disputed grounds, attended. Mr. Lyon addressed the committee in support of the claim of the Michigan Territory till the meeting of the House at twelve.

In the House, sundry bills were reported and sundry resolutions offered. Chilton, of Kentucky, occupied most of the hour in discoursing upon his resolution of enquiry for appropriations for internal improvements. Polk called up his Appropriation bills; Watmough called for his Navy Officers' pay bill, which was unfinished business. Polk prevailed by a bare majority of a bare quorum—sixty-five to fifty-six. The Pension Appropriation bill passed with very little comment; the Navy Appropriation bill passed with very little. The Army Appropriation bill passed a third reading, after a long debate upon an amendment proposed by Polk in the committee of the whole, there rejected, and renewed in the House, and there finally rejected, by yeas and nays—fifty-seven to one hundred and thirty-four. It was for a claim of General Macomb, of Major-General's pay from 1821 to 1828. I had some conversation with Mr. Heath, which was interrupted. Walked home with Jarvis, who said he believed the Committee of Foreign Affairs would report upon French affairs on Thursday.

James M. Wayne, of Georgia, resigned his seat—appointed a

Judge of the Supreme Court, now in session. He was Chairman of the Committee of Foreign Relations. Patton, a member of the committee, moved that his place should be filled.

14th. G. Grennell came to my seat, and told me that Governor John Davis would be a candidate for the election to the Senate of the United States by the Legislature of Massachusetts in Mr. Silsbee's place, and, he supposed, would be elected. Governor Lincoln and I. C. Bates and Edward Everett are announced also as candidates.

15th. Met at ten this morning the select committee on the boundary line between the Territory of Michigan and the State of Ohio. Present, Binney, Murphy, Mason, Dickson, and Bynum; absent, Thomas, of Maryland, who for some days has not been in the House. Mr. May, one of the new members from the State of Illinois, attended the meeting. Lyon, the delegate from Michigan, concluded his argument in behalf of the Territory, and Vinton began his for Ohio. At noon, the committee adjourned, to meet at ten to-morrow in the chamber of the Committee of Manufactures.

16th. Met at ten A.M. the committee on the bill of Boundary between Michigan and Ohio, at the chamber of the Committee of Manufactures. Present, Binney, Murphy, Dickson, Mason, and Bynum; absent, Thomas, of Maryland. Mr. Vinton continued, but did not conclude his argument.

17th. Met the committee on the Michigan and Ohio boundary bill at the room of the Committee of Commerce. Present, Messrs. Binney, Murphy, Dickson, and Bynum; absent, Mason, and Thomas, of Maryland. Mr. Vinton concluded his argument in behalf of the State of Ohio, and the committee adjourned till Monday morning at ten, to hear Mr. Lyon in reply.

18th. I paid a morning visit to Miss Harriet Martineau and Miss Jeffrey, her companion. She had brought me letters of introduction from Mr. Furness, of Philadelphia, and Mr. Charles Brooks, of Hingham, in company with whom Miss Martineau came from England. She is the author of Conversations upon Political Economy, which I have not read or seen. She is a young woman—I suppose about thirty; deaf, and hearing only

through an ear-trumpet. Her conversation, however, is lively and easy, and she talks politics, English or American. I met there Mr., Mrs., and Miss Webster, and Mr. I. C. Bates.

22d. My diary runs frightfully in arrears, and I cannot retrieve it. I rode with the children to the Capitol. Immediately after the meeting of the House, I was told that H. A. Wise, the member of the House from Virginia, and Richard Coke, who was the member from the same district in the last Congress, had gone out this morning to fight a duel at Bladensburg. There was soon after a rumor that Wise was shot through the body. The reverse was the truth: Coke's arm was broken, and he had a flesh wound in the side from the same ball.

23d. Mr. Lay paid me a morning visit, with Mr. Holden, an inhabitant of his district, and a young man named Evans, a connection of the Vice-President, Van Buren.

I attended at the House, where a skirmishing debate took place upon a motion to call upon the Secretary of War for documents relating to the disposal of reservations in Indian treaties. The object was the exposure of certain alleged enormous frauds. The debate extended beyond the hour allotted to the discussion of resolutions, but I took no part in it. My time was chiefly absorbed in directing documents to be dispatched by the mail, particularly copies of my own oration upon the life and character of La Fayette. Edward Howell, of New York, asked me to write my name upon a copy of it for him to send to his daughter. Edward Hannegan, of Indiana, brought me two with the same request; and Cave Johnson, of Tennessee, who is confined at his lodgings by sickness, sent me, by his colleague Dunlap, six, with the same solicitation. These are all devoted friends and supporters of the present Administration, and bitter political adversaries to me.

24th. I was obliged to go to the Capitol and attend the meeting of the select committee on the Michigan and Ohio Boundary Line bill. All the members of the committee were present. After some discussion, it was agreed that the bill should be reported to the House without amendment, and with a recommendation that it do not pass. All the members of the committee agreed to this report, excepting Mr. Binney. I did

accordingly report the bill to the House. It was one of the days for private business, but the day was consumed in debating a resolution offered by Reynolds, a new member from Illinois, that the choice of the officers of the House shall in future be made vivâ voce, each member rising in his place and naming the person for whom he votes.

This is a party measure. The object is to secure the public printing for the next House of Representatives to the publishers of the Globe newspaper. The Globe is openly devoted to the Vice-President, Van Buren, as a candidate for the succession to the Presidency. There is a part of the Jackson party in the House opposed to Van Buren, and who, if the vote for printers should be by ballot, would vote against the publishers of the Globe; if they are called to vote vivâ voce, it is supposed they will not dare to vote against them, for fear of the brand of opposition to the Administration. The debate was very warm, and much time was consumed in a call of the House, which was persevered in, till two hundred and thirteen members answered to their names. Hardin, of Kentucky, moved an amendment, a proviso to except the choice of printers. The debate continued till near four o'clock, Reynolds, and McKinley, of Alabama, supporting the resolution, and Fillmore, of New York, Gilmore, of Georgia, and Briggs, of Massachusetts, against it. I was occupied in dispatching documents.

25th. Blunt informed me of the nomination of Daniel Webster as a candidate for the Presidency by a convention of three hundred and fifteen members of the Massachusetts Legislature; but Blunt says he does not intend to make any more sacrifices of money or business upon Presidential elections.

Persico told me that Mr. Muhlenberg had promised to offer a resolution for employing him further for works of sculpture at the Capitol. And he asked me to give him a sitting to take my bust in marble. I promised to call at his chamber on Tuesday morning at half-past ten. I dispatched a number of the La Fayette orations.

26th. At the House, after the call of petitions, J. M. Patton asked leave to offer a resolution that the Committee of Foreign Relations be instructed to report three resolutions relating to

the differences with France; to which objection was made, and Patton moved the suspension of the rules to enable him to offer the resolution; which was rejected, by yeas and nays—one hundred and three to one hundred and twelve.

The resolution offered by Reynolds, of Illinois, that in future all the elections of the officers of the House shall be made vivâ voce, was taken up and debated as unfinished business. After the expiration of the hour, Watmough moved that the House should pass to the orders of the day, which was rejected; and again, upon the motion of I. C. Bates, who asked for the yeas and nays; but they were refused, upon which he withdrew his motion.

The resolution was very warmly debated till past four o'clock by Peyton, of Tennessee, who moved that the resolution, with Hardin's amendment, should be referred to the Committee on the Judiciary, with instructions to report a resolution that the printer of each House of Congress shall hereafter be chosen vivâ voce within the first week of the first session of each Congress; then, by Pope, of Kentucky, Vanderpoel and Gilbert, of New York, in favor of the resolution, and by Pearce, of Rhode Island, Clayton and Seaborn Jones, of Georgia, against it. Hawes, of Kentucky, moved the previous question, which was rejected in count by tellers—seventy-five to ninety-nine. Pearce announced that he should vote for Blair, the editor of the Globe, because he was a supporter of the Administration, and not for any supporter of John McLean, of Judge White, or of Daniel Webster. The result of this debate will be equivalent to a caucus Congressional nomination of Martin Van Buren for the succession to the Presidency.

29th. Morning visit from Mr. Hassler, who is occupied upon the survey of the coast, and who, as usual, had a detail of grievances about his accounts and the refusal of the Fourth Auditor and the Secretary of the Navy to allow for his necessary expenses, among which are a barouche and horses, which he uses in summer upon the survey and keeps in winter here at Washington. Immediately after the meeting of the House and the reading of the journal, Pickens, the member from South Carolina who comes in the place of McDuffie, announced the

decease of his colleague Warren R. Davis, who died at Dowson's about seven o'clock this morning. He has been about a fortnight in the city, but had not taken his seat in the House. Mr. Pickens pronounced a short panegyric upon the deceased, who was a high-spirited man, of some wit, a lively imagination, and honest though satirical good humor—a fair specimen of the South Carolina character. Mr. Pickens moved the usual orders—that the House would attend the funeral to-morrow at noon, and that the members would wear crape for thirty days; and the order that the Senate should be notified of the decease of Mr. Davis. The Speaker appointed the committee of arrangements for the funeral, and the House immediately adjourned.

I came home, and received a visit from Mr. Vanderpoel, member of the House of Representatives from Kinderhook, and one in the evening from Mr. Thatcher, who brought me a letter of introduction from William Lee, at Boston. The remainder of the day was occupied in answering a letter from B. F. Hallett, and in dispatching copies of the oration upon the life and character of La Fayette.

30th. Rode to the Capitol and attended the funeral of Warren Ransom Davis, a member of the House of Representatives from South Carolina. The service was performed by Mr. Hatch, Chaplain of the Senate, according to the forms of the Episcopal Church. Mr. Preston, the Senator from the State, said to me that I had lost in Davis a devoted friend; and I believe it was true. Nearly the last words he ever spoke in the House were that he hoped God would forgive him for the part he had taken in 1828 against me, for he should never forgive himself.

I rode to the grave-yard with Charles G. Ferris, from New York. As we were descending the broad flight of steps from the rotunda, on the eastern front of the Capitol, I heard the snap of a pistol, sounding like a squib. It was aimed at the President of the United States by an insane man named Lawrence, and it was said he snapped a second pistol; but I heard only one report. They both missed fire. The incident occasioned some commotion, but the funeral procession was not delayed. The number of the members who followed, however,

was not so great as usual. From the grave-yard I returned with Mr. Ferris to the Capitol, where there came only the Speaker and one or two other members. He took the chair, and, at my motion, adjourned the House. I walked home, stopping at Gadsby's tavern to return the visit of Mr. Reverdy Johnson, of Baltimore.

31st. Dr. Julius brought me a letter of introduction from Mr. Duponceau, of Philadelphia. Dr. Julius is a Commissioner sent by the Prussian Government to this country to visit and examine the prisons and penitentiaries, for the purpose of introducing improvements into those of Prussia. He is well acquainted with the work of Messrs. De Beaumont and Tocqueville, and spoke of it in terms of qualified approbation. He said there would shortly be published a report of a Mr. Crawford, who had been sent here by the British Government, and was in the United States last year, which would be more full and satisfactory than that of the French Commissioners, and that he had read Mr. Crawford's manuscript.

Mr. John Connell called upon me, and said it had occurred to him that it would be proper for the House of Representatives to pass some resolution expressive of their abhorrence of the attempt yesterday to assassinate the President, and that I was the proper person to offer such a resolution; that he had mentioned his thoughts to Mr. Webster, who concurred entirely in the opinion, particularly as there was an article in the Globe imputing this act of the assassin to the speeches of Senators against the President.

I told Mr. Connell that I did not wish to meddle with this affair politically at all. The man was in prison, to be dealt with according to law. What was his motive I knew not, nor who, if any one, was his instigator. I saw no necessity for me to be officious on the occasion.

At the House, C. F. Mercer came to my seat, and asked if I did not think the House should appoint a committee to *investigate* the transaction, which occurred while the House was formally in session. I said, no; at least I saw no propriety for my moving in the matter.

In the House, Gilmer, Chairman of the select committee on

so much of the message as relates to an amendment of the Constitution in regard to Presidential elections, moved the discharging of the committee, who cannot agree upon anything, and offered a long amendment of his own, which was ordered to be printed.

My call upon the President for copies of correspondence concerning the dispute with France was adopted without opposition.

February 3d. At the House, immediately after the journal was read, Mr. Grennell moved for a call of the House, observing that he regretted the journal should have been read without a quorum in the House. The call of the House commenced, and about two-thirds of the names were called, and, a large quorum answering, the call was suspended. Reports from committees were received. Ferris, of New York, offered a resolution instructing the Committee of Ways and Means to enquire into the expediency of repealing the duty upon foreign coal. He made an eloquent and pathetic speech for the relief of the poor inhabitants of the cities and cold climates; and said he thought there was nothing but the compromise against it, and had not much respect for that. While he was speaking, Crockett called for the orders of the day, which prevailed—one hundred and two to eighty-seven. The Speaker laid before the House sundry communications from the Executive Departments, and one from the Clerk of the House. Mr. Bouldin's motion, to reconsider the vote rejecting the bill making an appropriation for the relief of the city of Alexandria, was taken up, and he made a speech urging the reconsideration. Chilton, of Kentucky, moved to lay the motion on the table. Mann, of New York, called for the yeas and nays, which were thirty-nine to one hundred and four against laying on the table. Then the question of reconsideration was debated by Thomas, of Louisiana, Bates, Speight, Vinton, Miller, Miner, Parks, Hawes, Mercer, Mann, of New York, Allen, of Virginia; and Hardin rose to speak, and offered to proceed, or to wait till another day; he moved to adjourn; which was carried, by tellers—ninety-four to seventy-seven. Bates, Briggs, Grennell, and Phillips expressed themselves much dissatisfied with the late election of

John Davis as Senator of the United States by the Legislature of Massachusetts. Bates said Davis had degraded his office of Governor of the State by consenting to serve as a Senator.

14th. At the House, immediately after the reading of the journal, I obtained leave to present two petitions from citizens of the county of Oneida, in the State of New York, for the abolition of slavery in the District of Columbia. I referred to remarks I had made on presenting similar petitions in December, 1834, said I had not changed my opinions then expressed, and moved the reference of these petitions, without reading, to the Committee on the District of Columbia; which was done. I then asked leave of the House to say a few words by way of explanation; which was granted. It was upon my having said last Saturday that the Senate had dodged the question of the dispute with France, and upon the commercial excitement produced by the stand taken by me on the same occasion. My explanation amused the House.

16th. Stephen Phillips, of Massachusetts, presented a memorial from twelve hundred and forty-nine men and three thousand six hundred ladies of his district for the abolition of slavery in the District of Columbia. After a few remarks, he moved that, without reading, it should be laid on the table. Dickson, of New York, then presented a similar memorial from Rochester, in that State, and moved that it should be laid on the table and printed, with the names. Boon, of Indiana, called for a division of the question. The motion for printing was agreed to, and then a question arose upon the printing of the names, which led to a motion by Wise, of Virginia, *who had not voted* on the order for printing being made, for reconsideration of that vote, which gave rise to a snarling debate. The vote for reconsideration was carried, by yeas and nays—one hundred and twenty-five to eighty-one; and, after sundry motions for the previous question and others, a motion to lay the memorial and the motion to print on the table was carried, by yeas and nays—one hundred and thirty-nine to sixty-three. Denny presented two memorials, one from ladies, for the same abolition of slavery in the District of Columbia. Chinn, from the Committee on the District of Columbia, moved the assignment of next Saturday for

the consideration of bills relating to the District; which was refused.

20th. Sevier, the delegate from Arkansas, obtained a suspension of the rules for the consideration of bills relating to the Territories. Four Territorial bills were accordingly passed to the third reading. Connor, Chairman of the Committee of Post-Offices and Post-Roads, moved to suspend all the orders of the day to take up the annual Post-Office bill, but, at the suggestion of Vinton and other members, varied his motion to an evening session at six o'clock next Tuesday; which was agreed to. Dunlap moved a suspension of the rules to take up the Tennessee Land bill; which failed. Gilmer moved to suspend the rules to take up the bill for establishing the Western Territory; was carried, by yeas and nays—one hundred and forty-five to fifty. The bill had been reported last session from the committee of the whole, with amendments, which were adopted. I called for the reading of the bill, and it was read. I spoke against the bill, and moved to strike out the second section, and gave notice that I should also move to strike out the third section. This gave rise to a general debate on the bill till near five o'clock. The Georgia members, and Hardin, of Kentucky, supported the bill; Burges, Archer, Vinton, of Ohio, opposed it. Hardin quoted the Act in 1804 for governing the Territory of Louisiana, and affirmed that I voted for it. I proved by reading from the Senate journals of 1804 that I voted against it. The news from France was received that Mr. Serrurier, the French Minister here, is recalled, and Mr. Livingston has been offered his passports at Paris. A strong sensation was produced in the House by them, and a motion was made that the House should adjourn; but it did not succeed.

22d. The remainder of this day was absorbed in writing upon the present state of our dispute with France—a subject upon which my anxious feelings have outstripped the necessity of the case. My apprehension is not of war, but that the rights of the claimants under the treaty, and the honor of the country, will, on this subject, be ultimately sacrificed and abandoned. The fear of this has urged me prematurely to press the con-

sideration of it upon the House of Representatives, and now spurs me to renew the call upon them for action. I have failed, and the occasion has been seized successfully to turn the election to the United States Senate against me for what I have said in the House on this occasion.[1] Cautious perseverance, support me!

25th. At ten o'clock this morning I attended a meeting of the select committee on the memorial from Philadelphia concerning the standard of weights and measures, in the committee-room of the Committee of Ways and Means. All the members were present — H. Binney, Chairman, Murphy, of Alabama, Slade, of Vermont, and Mason, of Maine. Mr. Binney read a report which he had prepared, and a correspondence with the Secretary of the Treasury, and F. Hassler. Voted that the Chairman do make the report to the House, and that Mr. Murphy move that five thousand extra copies of the report be printed.

In the House, McKinley, of Alabama, moved (after some struggle with the rules of the House to get a vote by a mere majority for the suspension of the rules) to take up his resolution for electing a printer to the next Congress vivâ voce. His motion was rejected, by yeas and nays—one hundred and three to one hundred and ten: so he had even a majority against him. Gilmer obtained a suspension of the rules to take up his joint resolution for amending the Constitution of the United States in the election of President and Vice-President of the United States. The object was to give the election to the people, to limit the capability of election to one term of four or six years, and to interdict the appointment of members of Congress to office under the Executive. Baylie Peyton announced Hugh Lawson White as a candidate for the next Presidency, and attacked Polk for being opposed to him. Polk

[1] It may be noted as somewhat singular that so little interest should have been shown here in the severe struggle which took place between the two branches of the Legislature of Massachusetts on the election referred to. The probabilities continued in favor of Mr. Adams's election, until an exaggerated report came from Washington of his language on the French question, which was successfully used to turn the scale in favor of Mr. Davis. The result, in view of his later career, can only be regarded as having been most fortunate for him.

announced that he was responsible for his conduct to his constituents. Pearce and Burges took ground against the amendment, in defence of the small States. The House adjourned after five o'clock, and it was past six when I got home. There is to be a message of the President on French affairs to-morrow.

26th. Immediately after the meeting of the House, a message was received from the President, with a report from the Secretary of State, and a correspondence of E. Livingston with Admiral De Rigny, letters from Livingston to the Secretary of State, and a correspondence between Forsyth and the late French Minister, Serrurier. I read them at the Speaker's table. The day had been specially assigned for the consideration of bills relating to the District of Columbia, and there was a debate of nearly two hours upon the question how the House should proceed to get a reading of the message, which was moved by Cambreleng. They finally voted to postpone the business of the District for an hour, to hear the message. It was then read, and Cambreleng, as Chairman of the Committee of Foreign Relations, presented three resolutions, which he was authorized by a majority of the committee to offer. Edward Everett then offered a minority report for three members of the committee, which he moved to have received and considered with the resolutions of Mr. Cambreleng. I offered three resolutions as amendments or substitutes of those offered by Cambreleng. After some debate, the message was referred to the committee, and Cambreleng's resolutions and mine and Everett's report were all withdrawn.

27th. In the House, Mr. Binney presented the report from the Committee on Weights and Measures, and J. G. Watmough moved to print three thousand extra copies—which lies over one day. Hawes moved to suspend the rules to have the report of the West Point Academy printed; rejected, by yeas and nays—seventy to one hundred and eighty-nine. Cambreleng made a report from the Committee of Foreign Relations, with his three resolutions, the same that he offered yesterday. Edward Everett then presented a report from the minority of the committee—himself, Letcher, and Coulter. I enquired

whether the minority report concluded with any resolution; Everett then answered, no. I then offered my resolutions, amendments, or a substitution, and explained the cause of the difference between the copies of my resolutions in the Globe and Intelligencer. Archer moved the reference of all to the committee of the whole on the Union. Beardsley moved to strike out the reference to the committee of the whole; and, after debate, the question was taken by yeas and nays, and announced by the Speaker as carried for Beardsley's amendment—one hundred and twelve to one hundred and ten. Miner, of Connecticut, said he had voted no, and his name was recorded aye. It was found also that the ayes had been not one hundred and twelve, but one hundred and eleven. The vote then was announced, one hundred and ten ayes, one hundred and eleven noes, and Beardsley's amendment was lost. Then Lytle, who had voted no, moved a reconsideration, and it was refused—one hundred and eleven to one hundred and thirteen. Then the question was taken on the reference to-morrow at eleven to the committee of the whole on the Union, and carried—one hundred and sixteen to one hundred and seven. The House then proceeded to the orders of the day. Sundry bills were discussed, and about five o'clock Gilmer's proposed amendments to the Constitution, as to the election of the President and Vice-President. There was much manœuvring to avoid the question upon the first of the amendments, and, after sundry motions to lay on the table, for the previous question, and for adjournment, the House adjourned about five P.M.

28th. Cambreleng moved to go into committee of the whole on the Union on the controversy with France; carried. J. Y. Mason in the chair. Cambreleng presented his three resolutions, with a very few remarks. I made a motion that the first resolution reported by him be stricken out and the first of mine substituted in its place, and spoke against his resolution in both its parts.

Archer followed, objecting both to Cambreleng's resolution and to mine, and offered a resolution declaring it inexpedient for the House to act at all on the subject at this time, which he

supported by a long speech. He was followed by Pickens, of South Carolina, on the same side.

Patton read a resolution which he had prepared, differing from all the others, and supported his views by a speech.

Bouldin, of Virginia, replied to Patton, Pickens, and Archer, who then offered to take Patton's resolution instead of mine, if I would do the same.

I declined.

Cambreleng, in reply to all the debates, offered to take the closing sentence of the report of the minority of the Committee of Foreign Relations as a resolution instead of mine; and I agreed to accept it as a modification of mine.

Burges spoke against the adoption of any resolution.

Coulter declared his willingness to vote for the resolution as now proposed by Cambreleng.

Chilton proposed to strike out the words *at all hazards;* which I declined.

Everett moved first to take a recess, which failing, he moved the committee should rise; which they did.

The Speaker read a letter from J. Ewing, of Indiana, stating his inability to attend the House, owing to his having been assaulted by Lieutenant Lane, son of Amos Lane, a member of the House, and an officer in the army. Hannegan moved the reference of the letter to a select committee of seven to report the facts to the House; which, after much debate and many cavilling questions, was carried.

March 1st. In the morning I revised for the National Intelligencer the minutes of the reporter, which Mr. Seaton had given me yesterday, of the desultory speech which I made yesterday in the House; and in the evening I endeavored to arrange the heads of remarks yet to be made by me to unfold my whole purpose respecting the present state of our affairs with France, and upon which I am again to be disappointed.

2d. My speech of Saturday was printed so confusedly this morning in the National Intelligencer as to make much of it nonsense. I spoke of it to Mr. Gales, who sent for his foreman, who came to the house, and on collating the manuscript with the paper of this morning he saw the gross mistake that

had been made, and said the speech must and should be printed over again.

The report on the West Point Academy was discussed, till Cambreleng moved to discharge the committee of the whole on the Union from the further consideration of the resolutions relating to the dispute with France, and that they be taken up in the House; upon which Wilde called for the yeas and nays, which were one hundred and four to ninety-two.

The question first in order was on Archer's amendment to my amendment of the first resolution, offered by C. C. Cambreleng.

E. Everett made a feeble speech in favor of adhering to the execution of the treaty. He was followed by Allen, of Ohio, Love, of Kentucky, and Moore, of Virginia, Evans, of Maine, Sutherland, Clayton, Gilmer, and Lytle.

Cambreleng offered to take the words of the closing sentence of the minority committee report without the words "at all hazards."

Robertson, of Virginia, had resolutions of his own to offer; so had Seaborn Jones; and finally Binney came out in a speech with all his power against my resolutions and in favor of Archer's.

Watmough moved to lay all the resolutions on the table.

I replied to them all, particularly to Archer on his resolution.

Hardin, Chilton, Archer, replied to me by long and furious personalities, to which Hawes, for me, rejoined.

I rejoined to Gorham, who surrejoined.

The motion to lay on the table was rejected by forty-eight to one hundred and sixty-four; Archer's resolution, by seventy-one to one hundred and forty-three; Robertson's and Seaborn Jones's, without yeas and nays; and my resolution carried unanimously, two hundred votes, followed by clapping of hands in the gallery; and the House adjourned at midnight.[1]

3d. The greatest part of the day was consumed in debating the amendments of the Senate to the General Appropriation bill. They had annexed to the items of outfit and salary for a

[1] This may be noted as the first of the great triumphs of Mr. Adams in the House. It is much to be regretted that he failed to record it more at large.

Minister to Great Britain a proviso that they should not be paid unless the appointment should be made by and with the advice and consent of the Senate.

I opposed this amendment, and the House disagreed in it.

The Senate insisted.

There was a committee of conference, who agreed that the appropriation itself should be struck out. It was within half an hour of midnight when the bill went to the President, but it was carried through.

The Fortification bill was not so fortunate. At near midnight, Cambreleng moved, as an amendment to the amendments of the Senate, an additional section, placing three millions of dollars at the discretion of the President, for the military and naval service and for ordnance and fortifications. To this the Senate disagreed. On the return of the bill, I voted to recede from the amendment, foreseeing that otherwise the whole bill would be lost. The House, however, insisted, and the Senate *adhered*. The House asked a conference; to which the Senate agreed. The committee of conference reported an appropriation of three hundred thousand dollars for ordnance and five hundred thousand dollars for increase of the navy; but the report was made after midnight, and there was no quorum to receive it. Cambreleng at first delayed, and finally refused, to make the report. The President soon after midnight left the Capitol. The Senate sent a message to the House to remind them of the report of the committee of conference; then a message that they had finished their business and were ready to adjourn; and while the House were vainly endeavoring to make a quorum, the Senate adjourned; upon which, after an address from the Speaker, Bell, in return for an unanimous vote of thanks, at twenty minutes past three A.M. the House was adjourned without day.

CHAPTER XVIII.

THE TWENTY-FOURTH CONGRESS.

MARCH 4th, 1835.—Rose much exhausted, and disqualified for all occupation. About the middle of the day I rode to the Capitol, and spoke at the Clerk's office for the documents and papers to be sent me during my stay here from the post-office of the House. At the library, the book which Mr. Hardin took from my table and kept was transferred by the librarian from my charge to his. I walked home, and, as I was descending the steps of the Capitol, met the late Speaker, John Bell, of Tennessee, with whom I walked till we came to his lodgings, where he left me.

I told him I had called there to see him before his departure, to say that I retained no unkind feeling from the incident upon which I had thought he had done me wrong. I wished it to pass into oblivion, and had therefore not objected last night to the entry on the journal that the vote of thanks to him was unanimous.

He has to go through a sharply-contested election at home, and the unanimous vote of thanks may be of service to him. He is, on the whole, a good Speaker, and impartial as far as he dares, though occasionally subservient from timidity. The greatest injury he has done me was by appointing me Chairman of the committee on the bill from the Senate fixing the northern boundary line of the States of Ohio, Indiana, and Illinois—a service which it was impossible for me honestly to perform without indisposing bitterly against me three whole States of the Union and twenty-nine members their Representatives in the House. This has accordingly been the result. Never in the course of my life have I known a controversy of which all the right was so clear on one side and all the power

so overwhelming on the other; never a case where the temptation was so intense to take the strongest side, and the duty of taking the weakest was so thankless. I cannot help suspecting Bell's motive for putting me upon it. Personally, to me it has been a great misfortune.

5th. The dissipation of my spirits and the agitation of my mind continue little abated. I called at the War Department and spoke to the Secretary of War for the young man Howe, for whom he has promised a warrant of cadet at West Point for the next year. He repeated the promise now. I had also some conversation with him upon the claim of Peter McIntosh for an increase of pension. He promised to reconsider the case. But my chief object in calling upon him was to speak of the controversy relating to the boundary line between the State of Ohio and the Territory of Michigan, of which he was many years Governor. I expressed to him an earnest desire that they would devise some means of compromising that dispute, and told him that I had never witnessed a contest in which the right was so clear on one side and the power so appalling on the other. I mentioned to him the recent proceedings of the Legislature of Ohio, by which they have determined to take possession of the disputed territory, and I said that the message of the Governor (Lucas) upon which the Legislature acted was the most imprudent State paper I had ever read.

Mr. Cass said that the President entertained the same view of the subject that I did, and if the Legislature of Ohio should take possession of the disputed lands he would deem it his duty to dispossess them by force. He thought the people of Michigan would readily agree to a compromise, but did not expect the same of Ohio.

While I was at the War Department, Colonel Roger Jones, the Adjutant-General, told me he had heard an express had just arrived with information that the French Chamber of Deputies had rejected the appropriation bill for carrying into execution the treaty of 4th July, 1831. The same rumor was circulated all over the city, and Mrs. W. S. Smith, who came and spent the evening here, was full of speculation upon the probable consequences of the event.

Persico was here, and took leave of me with tears in his eyes, the appropriation for employing him further upon sculpture for the Capitol having failed. He said he should go to-morrow to embark at New York for England. He asked me for letters of recommendation; but I knew no one to whom I could venture to address him.

6th. Went to the National Intelligencer office. I settled an account with Mr. Gales, and enquired for Stansbury's minutes of my speech last Monday. He told me that night that he had taken very full notes while I was speaking, and that he would let me have them as soon as possible. Gales complained of the mercenary spirit of Stansbury, and said he paid him largely, though he was continually attempting to levy contributions upon the members whose speeches he reported.

While I was with Mr. Gales, Mr. Southard, of the Senate, and Mr. Edward Everett came in. Everett, who has postponed his departure for home till Monday, said he would call on me this evening; which he did. He has been nominated by Anti-Masonic and Whig caucuses for Governor the next year.

Mr. came, and mentioned that the Secretary of War had spoken to him of his conversation with me yesterday upon the boundary line dispute between Ohio and Michigan. He is himself a citizen of Ohio, but wishes the question may be settled according to the principles of justice. He had not seen the message of Governor Lucas. I gave him a copy of it in pamphlet—having received three copies, though I know not from whom.

He understood that Mr. Binney had differed in opinion from the other members of the committee of the House, and thought Congress had the power to alter the boundary. He enquired if Mr. Binney founded this opinion upon the Constitution of the State of Ohio or the alleged assent of Congress to it.

I said I had not so understood him. He thought Congress had never given that assent, but that there was a discretionary power vested in them by the Ordinance of 1787, and by which they might now restrict the boundary of Michigan and enlarge that of Ohio. But I advised him to ascertain Mr. Binney's opinion from himself. He said he would write to him and enquire.

7th. The position which I now occupy before the public resembles much that which I held in 1807 and 1808. The forced unanimous vote in the House on Monday evening last in favor of my resolution is the exact counterpart of the forced town-meeting called by the federalists in Boston upon the affair of the Chesapeake, after they had refused calling one at my request, and of the forced resolutions then adopted; for which they took ample vengeance of me afterwards. My conduct then expelled me from the Senate of the United States, as it has excluded me from it now. It afterwards sent me for eight years on important missions in Europe, made me eight years Secretary of State and four years President. I have not life before me for such another career now, and, with the same ordeal to pass through, I have nothing before me but the prospect of a desperate struggle and political ruin. I shall not live to see, as before, the day of reparation. The French Chamber of Deputies will reject the bill for paying the five millions of dollars stipulated by the treaty; some rash and foolish act of President Jackson will follow; and if the two countries be saved from war, it seems as if it could only be by a special interposition of Providence. The Presidential succession has mingled itself with all the important transactions of the recent session of Congress, broken up the Administration party, and laid the foundation for an entirely new organization of parties at the next session. Standing alone as I do, disconnected from all parties, and having at the recent session taken upon the French question a stand so conspicuous, so desperately contested, so triumphant in its result, and so sure to combine against me *all* the candidates for the Presidency, what can save me from destruction at the next session, if the French quarrel should continue, but an unseen protecting power? Be thou faithful unto death.

9th. I received from Mr. Stansbury his manuscript notes of my speech in the House of Representatives, made last Monday. They were very imperfect, and it took me the greater part of this day to revise them. That speech was made at one of the most critical and perilous moments of my life. Its effects upon the House were most unexpectedly successful, and the unani-

mous vote saved me for the moment; but it was an unwilling vote of all the parties in the House, and the whole proceedings have already been grossly misrepresented in the newspapers, and will be much more so.

I went this afternoon to the office of the National Intelligencer, but neither of the editors, Gales or Seaton, was there. I went thence to Mr. Seaton's house, but he was not at home. My object was to ascertain when he proposed to commence the publication of the debate of last Monday. The foreman could not tell, nor whether they had the manuscripts or the reporter's notes of the speeches made on Monday preceding mine. I returned home re infectâ.

Leonard Jarvis came and took leave, intending to depart upon his homeward journey to-morrow. He spoke of new intelligence received from France this day, coming down to the 31st of January. The reports brought by this vessel are more favorable to the prospects of appropriation by the Chamber of Deputies than were those before received.

10th. I rode to the National Intelligencer office, and left with Mr. Gales the manuscript report of my last Monday's speech. He promised to send me to-morrow evening a proof-sheet of it for correction, before it appears in the Intelligencer.

I enquired if he had the reports of the speeches preceding mine.

He had only one or two of them, but said he expected to have that of Mr. Binney.

I have a strong suspicion that the debate will never be reported.

At the Clerk's office of the House I obtained a copy of the bill which passed the Senate for curtailing Executive patronage, and Mr. Calhoun's report, upon which the bill was introduced. I had read this morning Mr. Webster's speech in the Senate upon it. The object of the bill, and of the report, and of Mr. Webster's speech, is to cut down the Executive power of the President and to grasp it for the Senate. The bill was not taken up in the House, but was buried, with many others, by the necessary close of the session. There are constitutional principles of vital importance involved in it, and upon which,

if it should come again into the House at the next session of Congress, and my powers of body and mind should be adequate to the task, I shall deem it my duty to give my views to the House and to the country.

11th. I received yesterday from the War Department a pension certificate for Asa Lapham, of Marshfield; but, finding in it an error of date, I took it this morning to the Secretary of War, who had the error corrected. I had some further conversation with him respecting the Boundary question between the State of Ohio and the Territory of Michigan.

He said Mr. Silliman had called upon me and made enquiries, with a view to write to the Governor of Ohio, Lucas, and prevail upon him to suspend the measures of execution of the Act of the Legislature of that State for the present.

Mr. Cass gave me a Globe of this morning, containing Mr. Livingston's answer to the French Minister Count de Rigny's note upon the recall of Mr. Serrurier. I spoke to him of Baron Hyde de Neuville's publications upon the subject of our present controversies with the Government of Louis Philippe, and of his motives for them. And I told him the anecdotes of De Neuville's interview with me, when he threatened to advise his Government to declare war against us, and of his half drawing his sword upon Stratford Canning at President Monroe's, after a diplomatic dinner.

12th. At half-past nine this morning I went to Mr. Stone's, and sat to Mr. Durant for my portrait till eleven, and then went to the Intelligencer office to enquire after the proof-sheets of my speech of Monday, the 2d instant; they were then not quite finished, but were afterwards sent to me, and they were carefully revised by me. Gales had some newspapers with extracts from the dispatches of Mr. Serrurier to his Government, published by them, and which are amusing.

I met Mr. Fendall at Gales's office. Thence I called, on my return homewards, at the Department of State, to ascertain if there were on the records any copies of letters from me to John M. Forbes while he was at Buenos Ayres; but found none. Mr. Forsyth spoke to me of the newly-published letter of E. Livingston, and of the letters of Serrurier. He said it was, as

I had supposed, the word "pretended" in Mr. Serrurier's letter to which they had taken exception, but that they would have overlooked the word "inexactitude." He said, too, that Serrurier had made a statement in the account of a conference with him, which was not true.

13th. I received this morning a letter from Homer and Palmer, at Boston, mentioning their intention to publish, in pamphlet form, some of the best speeches in both Houses of Congress at the recent session on the subject of our relations with France. They enquire if I can furnish them with a correct report of mine. I answered their letter, and it occupied much of the day. I received, besides, a letter from my old classmate Nathaniel Lawrence, now a clergyman at Tyngsborough. I have further an engagement in reviewing the Executive Patronage bill.

16th. Walked to the Capitol, and at the office of the Clerk of the House enquired for the journal of the last two days of the session of the House. The two last sheets of the last day were at the printers', and the printing of the journal is greatly in arrears. There are gross misrepresentations of the proceedings of the last day—the Administration and opposition parties each desperately struggling to cast upon the other the failure of numerous important bills, especially the Fortification bill. The elements of a violent collision between the Senate and House of Representatives are in commotion, and fill me with deep anxiety. Never in the whole course of my life has there been a heavier pressure upon my spirits, an aspect of greater danger to my reputation and life in the path before me, and a more urgent need of direction from Him whose are all our ways. I was occupied till near midnight in assorting and marking a series of the National Intelligencer containing the debates in the House of Representatives upon the dispute with France during the recent session of Congress, with a view to send them to Messrs. Homer and Palmer, at Boston.

17th. My speech made on Monday, the 2d of this month, was published in the Intelligencer of this morning. I went to the office to ask for an extra copy of the paper, and he promised me twenty-five or thirty, saying that an extra number

of them had been accidentally printed. There was in the same paper an article censuring the House for not passing the bill for fixing the northern boundary of the State of Ohio. Mr. Hall was in Gales's office when I spoke to him on this subject, and was present at the whole conversation. I asked of Mr. Gales a truce from his incessant war upon the House of Representatives ever since the close of the session. This war was waxing hotter and hotter, and Gales had on his table a manuscript article which he was writing for the paper, and which, he said, laughing, was more severe than anything that he had yet published. I repeated the request for a truce, and told him that almost the whole of the bitter invectives in his paper against the House were altogether unjust. I said that I had never flattered the House, but, on the contrary, had freely expressed my opinions of them when I thought they had been wrong; but that I was under the greatest obligations to them for two things: one was the kindness with which they had received and treated the oration upon La Fayette; the other was their unanimous vote on the 2d of this month. I felt my own character not a little connected with theirs, and could not bear to see them unjustly blamed without taking their defence.

Gales vehemently contested my positions, and intimated that I was undertaking to school him; which I very positively disclaimed. I repeated that I only entreated him for a truce, and added that he might deify the Senate as much as he pleased, if he would only cease to demonize the House. There are accounts from France all promising a large majority of the House of Deputies for the appropriation bill.

18th. In the evening Mr. Lyon called, and spent an hour with me. The Legislature of the State of Ohio have passed an Act directing their Governor to take possession of the disputed territory by force; and the Legislative Council of Michigan have resolved to make resistance also by force. Lyon is going home.

I advised him to prevail upon the Territorial authority to avoid that encounter of physical force; to send a memorial to the President here, calling upon the Government of the United States for protection, and to await the action of Congress at

their next session; and I said that if the subject should again come up at the next session, and I should be there, and named again upon the committee on a similar bill, I would make a full report on the whole dispute, and do everything in my power to prevent as gross an outrage upon justice as I ever witnessed in human affairs.

He said I had been the only cause of the failure of the bill in the last House, and that the people in the Territory of Michigan were grateful to me for it.

Yes, grateful. I know what that means. Never in my life have I taken in public controversies a part more suicidal to my own popularity than on the present occasion. The people of Ohio, Indiana, and Illinois will hate me with perfect hatred for crossing their interests. The people of Michigan, while the question is at issue, may pass cold resolutions of approbation or of thanks to me for espousing their cause, and then forget me. I place in perpetual opposition to me, and to everything that I propose or support, twenty-nine members of the House and six members of the Senate; and for this and all its consequences I have no compensation in prospect but the bare consciousness of having done my duty. Be it so; and may that consciousness carry me through this and all other trials before me, so long as it shall please the Disposer of events that I shall be an actor in the passing events of the time!

19th. I called at the office of the National Intelligencer, where I saw the two Galeses, father and son, and Seaton. I asked for the papers containing my speech of Monday, 2d March, which Gales had promised me, and they were afterwards sent to my house. Seaton showed me a fresh number of the Southern Literary Messenger, a periodical pamphlet published by a man at Richmond, named White. He has time after time, directly and indirectly, teased me with supplications that I would write for his book, and now, to take revenge for my non-compliance with his sturdy beggary, has published a malignant personal attack upon me, in the shape of a review of my oration upon the life and character of La Fayette. I am willing to be relieved even thus from his importunities to write for him.

In the leisure moments of the day, and to compose as much

as possible the agitation of my feelings, I wrote, in the form of a draft of a speech, an argument against the Patronage Retrenchment bill, concocted in the Senate at their late session between Calhoun, Clay, and Webster. This is another of the subjects upon which I expect, if I have life and health, at the next session of Congress to be called to act a most laborious, painful, and perilous part. I am preparing an argument against the bill for consideration.

24th. Morning call by Mr. Rush, who informed me that he was appointed as a Commissioner to go and endeavor to prevail upon the Governors of the State of Ohio and of the Territory of Michigan to suspend all their measures of force in relation to the disputed boundary between them. They have ordered out the militia on both sides, and both threaten to fight for the land. Mr. Rush said he had last week received a letter from Mr. Forsyth, inviting him to undertake the commission; that he arrived here the evening before last, saw the President yesterday, was now to receive his instructions, and to leave the city at two o'clock this afternoon to proceed upon his mission. He said he had not yet entirely possessed himself of the merits of the question, but had read my speech in the House at the last session, and taken notice of the documents therein cited by me. He said the Administration here thought that the right of the case was not on the side of the State of Ohio; but this was a matter in which he should have no agency, his commission being only by conciliatory means to persuade the parties to avoid coming to extremities.

I told him that I had most earnestly urged this upon Mr. Lyon, the delegate from Michigan, even if the Governor of Ohio should resort to force. I had said that the more violent the proceedings of Ohio should be, the more they would put her in the wrong; and the greater the forbearance of Michigan, the stronger her case would be before Congress and the world. Besides which, I supposed the Governor of Michigan would be subject to the orders of the President, who might forbid him expressly from resorting to force. I understood from Mr. Rush, though not by direct assertion, that he was sole Commissioner upon the subject with which he is charged.

I walked out with the intention of visiting the library of Congress, to make some researches there, but, on reaching the Intelligencer office, got into a conversation with Mr. Seaton, which lasted till near eight o'clock. I went through the whole subject of the charges against the late House of Representatives, which I undertook to defend. He was very anxious about the election of a Senator of the United States in Rhode Island, and seemed to wish that I should interfere with the Anti-Masons there to induce them to concur in the election of a Whig.

I asked him, laughing, what he understood by a Whig, and told him I had been much amused with the embarrassment of the Whig members of the late Virginia Legislature in accounting for their principles in their address to the people, published in the Intelligencer of this morning. I asked him who was the writer of that address. He said it was Chapman Johnson.

25th. My occupation is almost exclusively upon the Patronage bill. To the passage of this bill through the Senate all the powers of Calhoun, Clay, and Webster have been devoted—joined by Hugh L. White, who, since he has been nominated a candidate for the Presidency, has wheeled to the right about, from east to west, without notice, or at least without public censure—the Jackson party not yet daring to assail him, and the Whigs hailing him with a hearty welcome. I have examined this subject with much attention, but not yet so thoroughly as I ought, before committing myself to the desperate chance of encountering all these giants. They were very feebly resisted by the Administration members of the Senate, who understood little of the subject. I fear it will not have justice done it in the House, and am above all distrustful of my own ability to do it justice.

26th. I finished this morning the draught of a speech upon J. C. Calhoun's Patronage bill, which would fill eleven columns of the National Intelligencer, and would take between three and four hours to deliver. Upon reading it over, I find it is without method, and, in a great measure, without point—a desultory discussion upon the debate in the First Congress on the President's power of removal from Executive offices, with a

severe and cutting review of Daniel Webster's speech in the Senate in favor of the bill. That speech is indeed so shallow, so unprincipled, and so subversive of all constitutional doctrine, that I could not possibly treat it with respect; but this is not wise. Some time past noon I walked to the Capitol, and looked into two volumes of Swift's Works, Scott's edition, for the passage cited in Johnson's Dictionary under the word "executive," but could not find it. I found, however, several references to Hobbes's opinions, and examined the folio volume of Hobbes's Works till three o'clock, when I was obliged to leave the library, which is closed at that hour. I did not find the word "executive" in his book. He speaks of legislative power, but scouts all ideas of mixed monarchy, and rejects with the utmost disdain all ideas of a division of powers. His Leviathan was published in Paris in 1751, three years after the execution of Charles the First. His book was exceedingly obnoxious —more, however, for its anti-religious than for its monarchical principles. He insists upon the sovereign's power to levy soldiers and taxes as he may need them. It seems to me there is nothing in the book worth retaining. Historically, it may be considered as an exposition of the political doctrines of the Cavaliers of that time.

This afternoon the Telegraph contained J. C. Calhoun's last speech on his Patronage bill—as shallow as Webster's, and much more dogmatical. There are plausible arguments in both, but not one that is sound. After reading that of Calhoun, and analyzing the main-stay of his argument, I found it ended in empty sophistry. His conclusion impudently overstretches his premises. I began this evening a reply to his speech, which employed me till near eleven o'clock.

27th. I finished this morning the remarks on J. C. Calhoun's speech on his Patronage bill as additional to mine, and now, on reviewing my own, I find it like a tape-worm, without beginning or end—all desultory. I want patience to write it over again and methodize it. There is a great defect running through all the arguments in reply to the speeches of Calhoun and Webster—it is contemptuous and disdainful; which I could not help. Calhoun's tone is so self-sufficient and overbearing,

and Webster's reasoning so utterly ignorant or unprincipled, that they provoked my temper, and I answer them with cutting sarcasm. The use of this weapon is seldom politic. In the present case it would certainly not be so. I should write my speech over again, to say in mild, courteous, and inoffensive language what I have said in consuming caustic. I can make no use of my speech as now written, and yet it contains matter to grind up into dust Calhoun's and Webster's speeches, and also Calhoun's Patronage report.

Mr. Fendall was here, and I had near two hours of conversation with him. He appeared to incline to the opinion that the grand jury of the Circuit Court now in session ought to indict Andrew Jackson, the President, and a man named Coltman, a member of the Common Council of the city, for a conspiracy and subornation of perjury to charge Poindexter with having employed Lawrence to shoot the President. Coltman is a member of the Common Council, and that body have passed resolutions branding him with infamy. The whole transaction is inexpressibly base, and approaches much too near to the President for the good of his reputation. The committee of the Senate, however, exonerate him from the guilt of the conspiracy. Fendall has been lately to Richmond, Virginia, where, he says, the Whig members of the Legislature had two caucuses, and postponed the nomination of a candidate for the Presidency. The Whigs are to have a convention at Baltimore next December, to nominate a candidate.

28th. In the search for the history of the doctrine respecting the separation of the legislative and executive powers of Government, I visited this morning the Congress Library, and examined Locke on Government and the Works of Sir Robert Filmer. Locke's treatise was written expressly to refute the doctrines of Filmer, and the principal question between them was this separation of the legislative and executive powers, Filmer insisting, as Hobbes and all the writers of that age on the monarchical side had done, that government implied absolute power, and that there could be no separation of powers without a dissolution of the government. Locke lays down very distinctly the division of the powers, and in the twelfth

chapter of the second book treats expressly of the legislative, executive, and federative power of the commonwealth; meaning by the federative power the executive with reference to the laws of nations. This division is more complete than that of Montesquieu. I think Locke was the inventor of the theory of the division of powers, and of the reasoning which considers liberty as depending upon their separation. Montesquieu has taken the argument of Locke and applied it to the particular organization of the English Government. I took out from the library the volume of the Works of Sir Robert Filmer. It is a small octavo volume, containing several tracts upon government, published at different times. That to which Locke's treatise is the reply is the last in the volume, entitled Patriarcha, and was first published in 1680. This was doubtless the doctrine of Charles the Second and of his Court. It has fared with Sir Robert Filmer and the Tory writers of that age as it did with the Sophists of the age of Socrates and Plato—men of great and powerful minds assuming erroneous first principles and erecting upon them plausible and stupendous systems of morals and politics, overwhelmed not by the greater skill or talent, but by the purer fountain of elementary principle, and rendered odious to all time.

30th. I called at the office of the Secretary of War, with a letter from Dr. Anthony Collamore, of Pembroke, requesting me to obtain a copy of the certificate of a discharge given to a Revolutionary soldier named Oliver. The Secretary mentioned the boundary dispute between the State of Ohio and the Territory of Michigan, about which he is much concerned. He said Mr. Rush and Colonel Howard, of Baltimore, were gone to endeavor to keep the peace between the parties. Mr. Rives had been appointed, but declined to go. He said the Attorney-General had given an opinion upon the question, very full upon the point that Ohio has no present right to the territory, but without discussing the right of Congress to decide upon it. He said the Governor of Ohio had been written to, but his answer gave no encouragement to expect his forbearance. No further news from France.

31st. I walked this morning to the Capitol, and spent there

between two and three hours in examining Marchamont Nedham's Right Constitution of a Commonwealth, Harrington's Oceana, and Sidney's Discourses on Government, for their views of legislative, executive, and judicial power. There is very little in either of them upon the last; but all of them mark the distinction between legislative and executive power. There are seven pages of Nedham's work, of argument and historical illustration to prove the absolute necessity of separating the two powers; and there is nothing in Montesquieu or in Locke on this subject but what is quite as well said in these seven pages. Harrington's Oceana is a sort of political romance, dedicated to Oliver Cromwell, Lord Protector, and being an allegorical exposition of the English Commonwealth under his government. Montesquieu charges Harrington with building a Chalcedon with a Byzantium before his eyes. But Harrington's book was published in 1656, and his Byzantium then was Cromwell's Protectorate. Nedham's book was also published in 1656, as Hobbes's Leviathan had been published in 1651. Sidney's Discourses were unpublished until his trial, but they are entirely confined to the refutation of Sir Robert Filmer's Patriarcha, which was afterwards taken in hand by Mr. Locke. Filmer's reasoning appears now so utterly absurd, that one can hardly conceive how such elaborate works as those of Sidney and Locke should have been thought necessary to answer them. Filmer solves all civil government into paternal authority, and spurns at every idea of limitation upon it. Hobbes does the same. I looked also into Fortescue, De Laudibus Legum Angliæ, but found nothing there upon legislative or executive power.

April 2d. I called at the Secretary of State's Office, and asked Mr. Forsyth to permit me to send to the Department a small box containing fifty copies of my oration upon the life and character of La Fayette, to be forwarded to his son; which he said he would do. The committee of arrangements requested me to take charge of them.

Mr. Forsyth spoke to me of the boundary controversy between Ohio and Michigan, and of the question of our Northeastern boundary with Great Britain. He said there was a

recent resolution of the Legislature of the State of Maine approving of the rejection of the award made by the King of the Netherlands. He seemed to lean to the Ohio side on the question of boundary with Michigan, and weary of the North-eastern Boundary question.

At the Capitol, in the library, I found Mr. Joseph Russell.. I called for Ward's History of the Law of Nations before Grotius, and for Bodin, de la République. I spent two hours in turning over the leaves of these two works. Ward's book I have always thought a very valuable one, not only as an historical monument, but as tracing the principles of international intercourse to their foundations, and as rendering justice to the high and extraordinary character of Grotius, the founder of the modern science of the Law of Nations. I looked over the chapter-titles of Bodin's Republic to see if anything could be found of the division of powers into legislative, executive, and judicial, but met with nothing to the purpose. Bodin, like Hobbes and Filmer, considers sovereign power as indivisible and illimitable, though he marks the difference between those who make the laws and the magistracy who execute them. I sought in Chalmers's Biographical Dictionary for the articles Hobbes and Filmer; which I found—the latter very short.

3d. Walking round the Capitol, Franklin E. Plummer, a member of the late House of Representatives from Mississippi, was starting from Mrs. Dunn's in a carryall, and asked me to take a seat with him, which I did; he was driving to the War Department, where I left him. He said he thought Poindexter had been imprudent in his great dinner speech at Philadelphia. The Whigs of Philadelphia have made a magnificent banquet at the Arch Street Theatre in honor of Mr. Poindexter, against whom the basest conspiracy ever witnessed in this country has been defeated and exposed, growing out of the attempt of Richard Lawrence to assassinate the President at the Capitol, on the 29th of January, the day of Warren R. Davis's funeral. Immediately after Lawrence's two pistols missed fire, the President said it was a Poindexter affair. Soon after, a man named Coltman, a member of the Common Council, suborned two men, named Fay and Stewart, to make affidavit that they had seen

Lawrence go to Poindexter's house, and talking with him, a day or two before the attempted assassination. The President was treasuring up these affidavits, when they were communicated to D. J. Pearce, when visiting at the house, and by him to Southworth, a newspaper correspondent and reporter. The facts got thus into the newspapers. Poindexter wrote to the President demanding an explanation, but received no answer. Poindexter demanded an investigating committee of the Senate; and there was one appointed, who detected and exposed the conspiracy, so far at least as to fasten the subornation by Coltman and the falsehood of the two affidavits. They reported a triumphant vindication of Poindexter's innocence, and the report was unanimously accepted by the Senate. The public indignation is thus transferred from the assassin of the person to the assassin of character, and Jackson himself bears no small portion of the public odium. The Philadelphia Whigs turn it to political account, and give a great festival to Poindexter, to celebrate his escape from the conspiracy. Poindexter avails himself of the occasion to make a flaming opposition speech, which may be excusable in him, but which seems to me not well judged. The whole affair is sickening to me, and looks too much as if we were running into the manners of the Italian republics.

4th. At the Congress Library I met Mr. William Pitt Adams, of the British Legation. I took out the History of the Revolution, by Sir James Mackintosh, and Hallam's Constitutional History of England. My object was to ascertain if I could find in them any discussion upon the division of powers in government; but I had not time for sufficient consultation. I looked into Cooper's translation of Justinian's Institutes for definitions. But under the denomination of Laws he includes the "Plebiscitum," the "Senatus Consultum," the "Principis Mandatum," and even the "Responsa Prudentum." After returning home, I looked into Horace for the division of powers, and found in the epistle to Augustus—

> "Cum tot sustineas et tanta negotia solus
> Res Italas *armis* tuteris, *moribus* ornes,
> *Legibus* emendes."

Here is legislative, executive, and moral authority all exercised by one man, but with the distinction between them explicitly drawn. I was anxious to see how Pope had applied these lines to George the Second:

> "While you, great patron of mankind! sustain
> The balanced world, and open all the main;
> Your country, chief in arms, abroad defend,
> At home, with morals, arts, and laws, amend."

Fulsome enough, in all conscience. What he means by opening all the main I cannot exactly tell. Chief in arms, is Montesquieu's executive for the laws of nations. But Horace does not confine the defence of arms to agency abroad, nor does he say anything of amendment in arts.

There was a heavy thunder-storm this evening, followed by a northeast gale, in the midst of which I had a visit from General Scott. He thinks that if Edward Livingston's letters, communicated to Congress on the 6th of February in answer to my call, should reach France before the appropriation for indemnity is made, or if the Peel and Wellington Ministry should be dismissed, the French Chamber of Deputies will not make the appropriation at all. The General was quite studiously civil.

6th. My paraphrase of the Ode of Horace to Torquatus led me to an enquiry into the character, as exemplified in Horace's Odes, of lyric poetry, and thence to the same species of composition as exemplified by Pindar and Anacreon, Boileau, Baptiste Rousseau, Voltaire, Cowley, Dryden, Pope, Collins, Gray, Byron, Burns, Dibdin, all the English songsters, the French chansonniers, and above all, the Psalms. There is one character infinitely diversified in them all. But what are the essential characters of Horace's Odes? 1. Unity—a seminal idea pervading the whole. 2. Rich imagery. 3. Picturesque descriptions of nature. 4. Sublime and lofty sentiment. 5. Maxims of wisdom sententiously expressed. 6. Harmonious versification—a beauty of which we can have but a very faint idea, from ignorance of the pronunciation of the language and of the various measures of his verse. Many of his amatory odes,

however, are grossly indelicate. The subjects of others are uninteresting or unintelligible. Many of them refer to manners no longer existing. The allusions to the mythology and to the astrology of the time are frequent, and not always clear. Those to the Roman history and to individuals, cotemporaries of the poet, are common. There are bacchanalian and love songs, and some religious hymns, of which the "Carmen Sæculare" is the chief. A remarkable difference between his Odes to the Gods and the Psalms of David is, that his devotion never dwells upon any moral attribute in his deities. Another remarkable thing in Horace is, that, although a professed Epicurean, his most admirable sentiments are from the Stoic school.

9th. In the library of the House of Representatives, I looked for the debates in the Senate on four resolutions offered by H. Clay on the 7th of March, 1834, for the abridgment of Executive patronage. I could not find them, but was rather more successful in the [Senate] library. There I found references to former debates in the same body, 12th January, 1830—a notice by Mr. Barton that at the next Executive session of the Senate he should move to transfer to the legislative journal the discussion upon the constitutional powers of the President and Senate relating to appointments and removals. This was pronounced out of order (Register of Debates, vol. vi. p. 11). Then on the 21st of April, p. 367, Barton, pp. 385, 396, Holmes. These refer back to T. H. Benton's report on Executive patronage, made 4th May, 1826, Register of Debates, vol. ii. p. 672, and Appendix, p. 133 to 138—the report and the six bills. Mr. Calhoun's bill is a mutilated copy of one of those bills. These debates gave me some further insight into Calhoun's motives, as well as to the slovenly manner in which he has done his business. They engaged me till past three at the library, and the whole evening at home.

10th. My own time is swallowed up in seeking information upon subjects which there is reason to apprehend will come up for consideration at the next session of Congress. The further I press my enquiries into the Patronage bill, the more occasion I find to reflect, to pause, and to prepare. The reasoning of Mr. Clay, of Mr. Calhoun, and of Mr. Webster appears

to me all shallow and sophistical; but they speak to popular prejudices, and it is true of great masses of men as it is of individuals—he who is convinced against his will is of the same opinion still. The task of eradicating prejudices seems to be desperate.

I have read the opinion of the Attorney-General of the United States on the Boundary question between Michigan and Ohio. The Secretary of War told me that this opinion was against the claim of right on the part of the State of Ohio, and that it did not touch upon the right of Congress finally to settle the question. As I understand the opinion, it does deny the present right of the State of Ohio to resort to force to seize upon the jurisdiction of the land, as it has done, but his argument advises the President to interdict resistance by the Territorial Government of Michigan to the usurpation of jurisdiction by Ohio, and it concedes that Congress, by accepting the Constitution of the State of Ohio, did reserve to itself the right of assenting thereafter to the proposed boundary. The opinion therefore, as I understand it, surrenders both the jurisdiction and the possession to Ohio. Mr. Benjamin F. Butler, the present Attorney-General, is the pupil, protégé, and law-partner of Martin Van Buren, Vice-President, and candidate for the succession to the Presidency. Mr. Butler's opinion upon the Boundary question is perfumed with the thirty-five electoral votes of Ohio, Indiana, and Illinois.

11th. I finished my eighth letter to my son upon the transactions of the last session of Congress and the anticipations of the next session. I have written them for a memorial, to be preserved by him for his children, of incidents memorable in the declining days of my political life. They present a painful and anxious anticipation for the remnant of my time; but in the resolution to fulfil my duties the remnant of my days must abide the results that await them.

Wyer was here, and had a long conversation with me upon his own concerns, and on many other subjects. He is for Hugh Lawson White as the successor to the Presidency. The elections to Congress, now in progress in Virginia, indicate increasing opposition to the Administration, while it has been

victorious in Connecticut. The whole delegation from that State is changed. It is another downfall of federalism under the name of Whigs. The geographical interests and impulses are coming in to weigh down the scales of the election. The nomination of Daniel Webster as a candidate for the Presidency by the Whigs of the Massachusetts Legislature has settled the State of Connecticut for Van Buren, and Massachusetts will stand alone in her glory.

13th. I intended, after finishing the series of letters to Charles, to devote myself, until I can return to Quincy, to my private concerns and duties here; but this morning I got engaged again with J. C. Calhoun's Patronage bill, which passed the Senate at their last session. I had remarked the excessive ill composition of the bill without knowing the cause of it; but on comparing it with Benton's bill of May, 1826, I found the cause, and it gave me new matter for reflection. It made me dissatisfied with the draft of a speech which I had written, and which now appears to me weak and inefficient for want of method and arrangement. Extemporaneous debate cannot be methodical; but when there is so much matter as I have on this bill, it cannot be introduced and disposed of but by a formal written discourse. I began, therefore, a second draft of a speech, and was engaged with it the whole day, except when drawn off for other indispensable business.

16th. I walked round the Capitol Hill, and called at the office of the Secretary of the Senate, to enquire for documents of the years 1813 and 1814. I found them in the Legislative and Executive journals of the Senate. In the evening, at home, I resumed the search. It was a motion first made by Christopher Gore, on the 29th of July, 1813, to declare the appointment, during the recess of the Senate, of Ministers to negotiate peace with Great Britain unconstitutional, and to protest against it. On the 1st of August it was postponed to the first Monday in December. At the next session, Mr. Gore renewed his motion, on the 28th of February, 1814. It was then ordered that the debate should be held with open doors, and made the order of the day for the 7th of March; and from that day it was repeatedly debated till the 12th of April, when it was again post-

poned, to the first Monday in December. The yeas and nays were not taken.

19th. In the pursuit of my enquiries concerning the Patronage bill, I got engaged with Gales and Seaton's Register of Debates, vol. vi. part i., upon the debates in the Senate of the winter of 1829–30, the first session of the Twenty-First Congress, and of Jackson's Administration. It absorbed my attention so intensely that the day was gone and I had done nothing. It seemed a trial of strength between the makers of long speeches, who could hold out longest and wander widest from the proper subject of discussion. A very large portion of the debate upon Executive patronage was wasted upon Foote's resolution respecting the public lands. That debate was one of the earliest results of that coalition between the South and the West to sacrifice the manufacturing and free-labor interest of the North and East to the slave-holding interest of the South, by the plunder of the public lands surrendered by the South to the new Western States. This was the secret of that combined and simultaneous attack of Hayne and Benton upon the Eastern section of the Union, so manfully and ably met and repelled by Webster and Sprague. The Jackson Administration had been formed upon this combination, and had drawn New York and Pennsylvania into its vortex. It is rather surprising that the sacrifice of the public lands was not then entirely consummated. Benton was the founder of this project. Clay had built his reputation as a statesman and raised his ladder to the Presidency upon internal improvement of the Western country. He had connected himself with the free-labor interests of the North in this pursuit. Benton, who had been one of his partisans till then, saw he could supplant him by purchasing of the South the plunder of the public lands and selling to them the Western interest of internal improvement. This was the governing impulse of the joint movement of Hayne and Benton against the East and North in that debate. Why can I pursue this subject no further?

20th. Walked round the Capitol Hill before dinner, and, to alleviate my anxiety and distress,[1] gave up as much as possible

[1] This refers to illness in the family, which proved not to be serious.

my mind to my researches upon Executive patronage. I read over most of the debates in the Senate through the memorable session of 1829–30, and made out a list of all the speakers on the numerous questions involving this constitutional principle. I perused also the Executive journal of that session, published as an appendix to the Legislative journal of the same session. It was Webster's speeches and replies to Hayne in that session, in the debates on Foote's resolution, which raised his reputation to the highest pitch, and not without reason. They are monuments of eloquence and debatable power. Neither he nor Hayne, in their speeches on that resolution, introduced the Patronage question; but Foote himself and others did, particularly Clayton, Johnson, Grundy, Livingston, and Bibb. The great effort of every member was to show that he could make a tiresome, long speech. Webster, however, putting his whole stake upon the answer to Hayne, rather affectedly avoided noticing Benton, who was the great and real assailant. The policy of this is extremely doubtful. It seems to me, upon a review of the whole debate, that Webster should have answered Benton as well as Hayne; that he should have assumed the offensive against both, and exposed the profligate combination between nullification and the robbery of the public lands, which urged the joint attack of Benton and Hayne upon the East. This he did not do. He kept wholly on the defensive as to the East, and suffered Hayne to sacrifice all the rights of the old States to their portions of the public lands with impunity. This was the deadly poison of that league which brought in the Jackson Administration, and it has never yet been exposed. The failure of its consummation hitherto has been owing to the breach between Jackson and Calhoun, brought about by Van Buren; to the consequent precipitation of the nullification rebellion of South Carolina; to the compromise between Clay and Calhoun; and to Clay's Land bills, which, though defeated by Jackson's veto, have yet defeated, or rather delayed, the total sacrifice of the public lands, which yet Jackson openly recommended in his message of December, 1832.

24th. Mr. Van Buren, the Vice-President, paid me a morning visit. Our conversation was upon the surprising growth

and increase of the city and State of New York in the half-century since I landed there from France, in July, 1785, when the population of the city was less than twenty thousand souls. It is now little short of two hundred and forty thousand, and still increasing with unexampled rapidity.

He remarked that very few persons had made fortunes by this course of events, although the rise in the price of lands had kept full pace with the growth of population; that John Jacob Astor had systematically invested his property in lands, and had now an estate worth thirteen or fourteen, some said fifteen, millions of dollars. He said he himself had foolishly, two or three years since, sold the greater part of his own estate in lands, and that now the same lands were worth at least forty per cent. more than he sold them for.

I observed that the creation of banks and of bank paper aggravated heavily the price of lands. He said that was true and very obvious, and it was surprising that people would not see it.

This was the nearest approach that we made to politics.

25th. Mr. Cass told me that Mr. Rush and Colonel Howard had not succeeded in their mission to Ohio and Michigan; that the Commissioners from Ohio had run their line, and the Government of the State was exercising jurisdiction, from which he expected a conflict and bloodshed. He asked me if I had read the opinion of the Attorney-General on the dispute.

I said I had, and regretted to see in it what I had understood as a surrender of the right of Michigan to the lands.

He said it was not so intended nor so understood in Ohio.

I said the opinion was certainly against the present pretensions of Ohio, but I thought the right was surrendered by the concession that although Congress had not formally acceded to the proposition in the Constitution of the State of Ohio, they had reserved the right of acceding to it thereafter.

He said it was only that they had the same right now which they had then; that they had not the moral right, but that they possessed the legal right—there being no restriction upon Congress, as there was upon the States, against passing laws impairing the obligation of contracts.

I said that was enough, and I considered it as a surrender of

the question. I did not admit the right of Congress to pass laws in violation of their own contracts, and added it was precisely the question with the French Chamber of Deputies.

27th. And now I am obliged to abandon almost entirely my speculations upon the Patronage bill and other public concerns and devote my time to private affairs. Much of the day was employed in filing and assorting my letters, of which I have yet a great and increasing number unanswered. I have read somewhere in an account of Dr. Price's life that he was much distressed in his old age with his correspondence; and Voltaire, when at Ferney, says he has ten or twelve letters to answer every day. I can scarcely ever answer more than one; and the want of a secretary, after having had one or more for thirty years of my life, is a grievous deficiency.

PHILADELPHIA, *May* 26th.—There was a great sensation in public this day, occasioned by the intelligence arrived of the passage by the French House of Deputies of the bill of appropriations of indemnities by a very large majority, with a condition annexed, however, that no part of the money shall be paid till the French Government shall have received satisfactory explanations concerning the message of the President of the United States of 2d of December, 1834, to Congress. The majority for the bill is totally unexpected, and the appropriation includes interest from the time when the payments should have been made. The demand for explanations throws an awkward obstacle in the way of a final settlement, but otherwise the victory of President Jackson's Administration is complete, and will sweep away every fragment of opposition to the remainder of his term. His experiment was a hazardous one, and the management of the negotiation by his Cabinet has exhibited great maladresse. The opposition to his measures has, however, been much more blundering, and has proved excessively unpopular. It forgot the question in which the interest of the country was involved. May that ultimately prevail, by obtaining the full measure of justice required for the satisfaction of its rights!

PHILADELPHIA, *May* 28th.—My visit of friendship and pleas-

ure to Philadelphia, probably the last that I shall have the opportunity of paying, is closed. Mr. Biddle went with me again this morning to the Mansion House (Head's), to enquire for lodgings for my family, but they had no room. We there met Mr. James Sheridan Knowles, who thanked me for my verses in his album to Miss Elphinstone, written on the 3d of March. I then called at Yohe's, the American Hotel, but there were no convenient apartments to be obtained there, and I engaged them finally at Congress Hall—Wells's. Mr. Biddle went with me also to the grave-yard of St. Peter's Church, where I saw the monument erected by the friends of Joseph Dennie to his memory, in 1819; the obituary inscription upon which was written by me.

QUINCY, *June* 3d.—At ten o'clock this morning, on the ringing of the first bell, I went to French's tavern, where were assembled the Ecclesiastical Council for the installation of the Rev. William Parsons Lunt as colleague pastor to the Rev. Peter Whitney, over the First Congregational Church and Society at Quincy. The Rev. Doctor Thaddeus Mason Harris, my classmate at Harvard University, was Moderator of the Council, and was opening it with prayer; after which the names of the churches and societies were called over which had been invited to attend at the solemnities of the day. They were numerous, but were almost all present by their pastors, and most of them by one lay delegate. The documents were then read by Mr. John Whitney, of the invitation of the church and society to Mr. Lunt to settle as the colleague of Mr. Whitney, and of his acceptance of the invitation upon the terms proposed—a salary of eight hundred dollars a year, and six months' notice to be given if on either side a separation should be desired.

Dr. Lowell then enquired if the documents were to be submitted to the Council relating to the dismission of Mr. Lunt from the office of pastor to the Second Unitarian Church and Society in the city of New York, where he was for some time settled.

To this Mr. Pierpont, of Boston, objected, maintaining that it was a matter in which the Council had no concern, and inti-

mating that the besetting sin of ecclesiastical councils in all ages had been usurpation of jurisdiction.

Then arose an ardent and somewhat sharp debate upon the question whether the papers should or should not be read, which was finally terminated by Mr. Lunt himself requesting that they might be read; which they were. It appeared that the cause of his dismission from the New York congregation was their neglect to provide for his support and the want of unanimity in his favor. He was dismissed at his own request, with a protest of a small number of the members of his congregation against the proceedings. The debate delayed the commencement of the services more than half an hour. It was near noon when the procession, preceded by the committee of the parish, entered the meeting-house. The order of the services was: 1. An anthem. 2. Introductory prayer and selections from Scripture, by Rev. George Whitney, of Roxbury. 3. A hymn, by Mr. F. A. Whitney. 4. Sermon, by Rev. Mr. Frothingham, of Boston. 5. Prayer of Installation, by the Rev. Peter Whitney, senior pastor of the church. 6. Charge, by the Rev. Dr. Francis Parkman, of Boston. 7. Right hand of fellowship, by the Rev. Mr. Cunningham, of Dorchester. 8. A hymn, by the Rev. Mr. Frothingham. 9. Address to the society, by the Rev. Mr. Gannett, of Boston. 10. Concluding prayer, by the Rev. Mr. Huntoon, of Milton. 11. An anthem; and 12. The benediction, by Mr. Lunt, the installed pastor. The performances were all creditable; Mr. Frothingham's sermon admirable—from 1 Timothy iii. 16: "And without controversy great is the mystery of godliness: God was manifest in the flesh, justified in the Spirit, seen of angels, preached unto the Gentiles, believed on in the world, received up into glory." The principal topic of the discourse was the manifestation of God, in the person of Jesus Christ, and it was illustrated in the peculiar manner and original train of thought and splendid composition of the preacher. There were allusions in the charge, in the right hand of fellowship, and in the address to the society, to the present condition of religious affairs, and to the recent changes in the constitutional laws of the Commonwealth, relating to the connection between minis-

ters and their congregations. The services closed about half-past two. The house was not quite filled.

The members of the Council, preceded by the committee of the parish, returned to French's tavern, where they dined—about fifty persons. The dinner was short. There was cider served, but no wine. I presided at the table, as I had been requested to do by Mr. Beale for the committee; and, just before the rising from the table, returned the thanks of the society and church to all the members of the Council in attendance, and especially to those gentlemen who had taken part in the performances of the day. I said it had been my fortune to be absent during the time of the transactions between the society and the new associate pastor, which had terminated in his installment as the colleague of Mr. Whitney this day; that I had, however, been informed of them from time to time as they had taken place, had approved of them all, and rejoiced exceedingly at the unanimity with which the church and society had agreed to invite Mr. Lunt to settle with them as the colleague of Mr. Whitney; that on my return, three days since, to my residence, I had been requested by the committee of arrangements to preside at the table this day, which office, all unfitted for it as I was, I had accepted with pleasure, inasmuch as it afforded me the opportunity in the name and behalf of the society and church to return their thanks to all the members of the Council for their attendance, and especially to the officiating members for their very appropriate and acceptable performances. We thanked them for the instruction which we had received from their friendly ministrations; we thanked them for their kind sympathies, for their good advice and affectionate exhortations. We thanked them for their fervent prayers, and asked the continuance of them, that under the manifestation of the word of God, unfolded as it had been in the discourse of the day in all its magnificence and splendor, the new relations formed by the colleague of the venerable pastor who sat at my side might permanently redound to the welfare, as well temporal as spiritual, of the flock, and to the glory of God, in the promotion of Christian piety and Christian charity.

The grace was then said by the Reverend Mr. Pierpont, and the company dispersed. The President of Harvard University, Quincy, and the former President, Dr. Kirkland, were present; Dr. Kendall, of Plymouth, and sundry others, mostly young men.

15th. Mr. Jackson and Mr. Armstrong were both overflowing with politics, and especially with the prospects of the next Presidential election. They both believe that, according to present appearances, Mr. Van Buren will be elected, but are both extremely averse to taking his side. They were anxious to know my opinions, which I freely gave them. Intending to be the partisan of no man myself, and believing that in point of principle there is not the weight of a feather to choose between the candidates before the public, I told them that since the issue of the Democratic Convention at Baltimore, and especially of the elections to the Legislature of Virginia, it appeared to be reduced to a certainty, as much as any event depending upon popular elections could be foreseen, that Mr. Van Buren would be elected.

Mr. Jackson said he had last week received a letter from Mr. Slade, of Vermont, who was very much opposed to Van Buren; which I attributed to the personal resentments for which Slade has had so much cause.

I told him how ill Slade had been treated by Van Buren, and how much I sympathized with him in the sense of his wrongs. I added, there were other things in Mr. Van Buren's treatment of me which I had reason deeply to resent, but a public life ought to be a perpetual sacrifice of resentments. There is not a Presidential candidate before the people at this day who has not treated me ill. I must forgive them all. In the turbid stream of political life, a conscientious man must endeavor to do justice to all, and to return good for evil; but he must always expect a return of evil for good.

Mr. Armstrong is much dissatisfied with the arrangements of the triumvirate, Webster, Edward Everett, and John Davis, in disposing of the Government of the Commonwealth as they did, to Everett. He thinks the people of the Commonwealth will not ratify the bargain. But the people of the Common-

wealth have been so managed for the last six years that I know not how long they may be kept in their leading-strings. Armstrong told me that it had been signified to him as the wish of Mr. Webster that he should preside at the meeting at Faneuil Hall, which he had declined.

July 10th. John Marshall, Chief Justice of the United States, died at Philadelphia last Monday, the 4th instant. He was one of the most eminent men that this country has ever produced. He has held this appointment thirty-five years. It was the last act of my father's Administration, and one of the most important services rendered by him to his country. All constitutional governments are flexible things; and as the Supreme Judicial Court is the tribunal of last resort for the construction of the Constitution and the laws, the office of Chief Justice of that Court is a station of the highest trust, of the deepest responsibility, and of influence far more extensive than that of the President of the United States. John Marshall was a federalist of the Washington school. The Associate Judges from the time of his appointment have generally been taken from the Democratic, or Jeffersonian party. Not one of them, excepting Story, has been a man of great ability. Several of them have been men of strong prejudices, warm passions, and contracted minds; one of them, occasionally insane. Marshall, by the ascendency of his genius, by the amenity of his deportment, and by the imperturbable command of his temper, has given a permanent and systematic character to the decisions of the Court, and settled many great constitutional questions favorably to the continuance of the Union. Marshall has cemented the Union which the crafty and quixotic democracy of Jefferson had a perpetual tendency to dissolve. Jefferson hated and dreaded him. Marshall kept Jefferson much under the curb—sometimes, as perhaps in the case of Aaron Burr's conspiracy, too much so; but Marshall's mind was far better regulated than that of Jefferson. It is much to be feared that a successor will be appointed of a very different character. The President of the United States now in office has already appointed three Judges of the Supreme Court; with the next appointment he will have constituted the Chief Justice and a majority of the

Court. He has not yet made one good appointment. His Chief Justice will be no better than the rest. The death of Judge Marshall has occurred under circumstances of deep melancholy. His disease was the stone. He had been saved and relieved about three years since by the operation of lithotomy, performed with consummate skill by Dr. Physick. He had now been brought a few days before his death to Philadelphia, for a further and last resource to save him. His eldest son, a man of more than forty years of age, having a wife and family of six children, was at Baltimore, on his way to Philadelphia, to soothe with filial affection and tenderness the last moments of his father's life, when, by the falling of the timber of a house, in a tornado, upon his head, he was mortally wounded, and died, after being trepanned, three or four days before his father. Oh, how much suffering is in the best and happiest condition of human existence!

25th. I received a letter from George Sullivan, of New York, with an application from the Managers of the American Institute of that city to me, to deliver the address at their annual fair next October. Sullivan's letter mentioned that Dr. Matthews, the Chancellor of the new university at New York, was coming to Boston, and would visit me. He came accordingly this morning, with his daughter and two other young ladies. He said there had been much correspondence upon the subject of constituting a national literary and scientific academy at New York, a project upon which I had attended a literary convention there in October, 1831; that he should wish to exhibit this correspondence to me, as there were many distinguished gentlemen, particularly of the South, who were desirous of carrying this purpose into effect.

I did not decline the inspection of the correspondence, but he alluded to the reluctance and aversion which I had found in Philadelphia to the promotion of this scheme four years ago, and of which I had informed him. It satisfied me that if an institution like that projected by Dr. Matthews was ever to be accomplished, it must be in an after-age, and when the sciences shall be more ardently cultivated than they are in this country at the present time. I did not say to Dr. Matthews, but I felt,

that my ignorance of all the sciences of calculation and of speculation made me unfit to be at the head of such an institution, and that my age unfits me for any undertaking the usefulness of which depends upon the efficient ardor, constant exertion, and undiscourageable perseverance with which it is pursued. I am drawing close upon the verge of seventy. I have done nothing, I have no ability to do anything, that will live in the memory of mankind. My life has been spent in vain and idle aspirations, and in ceaseless rejected prayers that something should be the result of my existence beneficial to my own species. It is time for me to abandon all such imaginations and to close my accounts with this world. The National Academy of Sciences must be reserved for a founder more worthy of its great objects.

August 3d. Mr. Josiah Adams, Jr., who was here upon some carpenter's work, showed me the thirty-sixth annual report of the Home Missionary Society, containing what he considered as a libel on the town of Quincy. It is a report to the society from a man named Cornell, the minister of the orthodox Congregational Church recently built here, and who says there are as many as seventy families in the town who never see a Bible, who never attend at any church, and within whose doors no minister had entered for the last twenty years, and that there were parents as ignorant as if they were pagans. Mr. Adams told me that his father, the deacon, had asked him to show me this pamphlet; that it had produced great excitement, and that there had been talk of calling a town-meeting about it. Mr. Beale was here in the evening, and spoke on the same subject. He said that he and Mr. Brigham had been to Mr. Cornell to demand upon what evidence he had advanced such grave charges against the inhabitants of Quincy. Mr. Cornell told them that he had no copy of his letter; that he did not recollect precisely what he had written, and that he had intended no reflection upon the inhabitants of the town, and had expressly said that he did not suppose they differed in this respect from other towns in general. He believed that instead of twenty years it was only two years that he had written that certain families had not seen a minister within their houses,

and that those who had no Bibles were the Roman Catholic workmen at the quarries. Beale said he did not know but Cornell would be drummed out of the town.

5th. Thomas Adams, the constable, came with a subscription paper, addressed to the Selectmen of the town, requiring them to call a town-meeting, to take such measures as they may think proper in relation to the charges against the inhabitants of Quincy of being in regard to religion and the Bible as ignorant as pagans. The paper was subscribed by Thomas Greenleaf and Daniel Greenleaf. I declined signing my name to it, and said I was very sorry the poor man had got himself into so much trouble by his indiscretion; that he had written under a religious impulse, and seemed to have forgotten that charity was a part of the obligations of Christianity; but, as he was under the heavy displeasure of the people of the town, if I should put my name to this application for a town-meeting it might have the appearance of my taking a part against him—which I should not wish to do.

This evening I received a note from T. B. Wakeman, of New York, written at French's tavern, enclosing a letter from George Sullivan and a resolution of the American Institute of the city of New York requesting me to deliver a public address at the next anniversary of the fair of the Institute, and that Mr. T. B. Wakeman, the Chairman of the Managers and the superintending agent of the Institute, would communicate this resolve to me in person, with the most respectful solicitation that I would comply with this request. Sullivan's letter was very urgent, although written after he had received my answer declining his first invitation and had made my answer known to the Institute before they passed the resolution. Mr. Wakeman's note requested me to appoint an hour when I would see him. I answered it that I would receive him this evening, or at any time to-morrow morning between six o'clock and noon, as would best suit his convenience.

6th. Mr. Wakeman came this morning, and I had a conversation with him of about two hours. He was very urgent that I should accept the invitation of the American Institute of New York to deliver the address at their anniversary fair, but

gave me no reason for it which could outweigh or balance my reasons for declining.

I desired him to assure the society of the grateful sense which I entertained of the honor they had done me by the invitation, and especially by the manner in which they had conveyed it; to add the assurance of my hearty good wishes for the prosperity of the Institute and for the prosperity of their cause, and, further, to say that if in the public station which I occupy it may be in my power to render them any service, I shall always eagerly avail myself of it. I stated to him a part of the reasons which require my perseverance in declining to deliver the address. The general considerations which dictate the policy of sustaining and cherishing the manufacturing interest were obvious, and had been presented with eloquence and ability by the gentlemen who had delivered the addresses of the three preceding years—Judge Baldwin, Mr. J. P. Kennedy, and Edward Everett. To repeat them could neither excite much interest nor much promote the purposes of the Institute. Should I undertake to deliver the address, it would be expected of me, and I should myself hardly be justified in undertaking it but with intention of presenting the subject under new and different views; and my own opinion was, that the great difficulty under which the manufacturing interest of the country labors is a political combination of the South and the West against it. The slave-holders of the South have bought the co-operation of the Western country by the bribe of the Western lands; abandoning to the new Western States their own proportion of this public property, and aiding them in the design of grasping all the lands into their own hands. Thomas H. Benton was the author of this system, which he brought forward as a substitute for the American system of Mr. Clay, and to supplant him as the leading statesman of the West. Mr. Clay, by his tariff compromise with Mr. Calhoun, abandoned his own American system. At the same time he brought forward a plan for distributing among all the States of the Union the proceeds of the sales of the public lands. His bill for that purpose passed both Houses of Congress, but was vetoed by President Jackson, who, in his annual message of December,

1832, formally recommended that all the public lands should be gratuitously given away to individual adventurers and to the States in which the lands are situated. Now, if at this time, on the eve of a Presidential election, I should, in a public address to the American Institute, disclose this state of things, and comment upon it, as I should feel it my duty to do, it would probably produce great excitement and irritation—would be charged with having a political bearing, and subject me to the imputation of tampering with the election.

Mr. Wakeman said that this had opened a new volume to him, and explained to him many things which had seemed to him unaccountable. Still, he thought my opinions might be presented in such a manner as would not be irritating or offensive, and the Institute would take measures for giving a very extensive circulation to the address. They had printed fifteen hundred copies of that of Judge Baldwin, which had also been printed in newspapers to the amount of eight or ten thousand. They would circulate still more of an address from me.

I said there were other reasons which admonished me to avoid at this time any occasion of bringing myself before the public eye, particularly on account of the part I took in the controversy with France, and in that between Ohio and Michigan, both of which, I expected, would occupy much of the attention of Congress at their next session.

I did not satisfy Mr. Wakeman, and, although I did not assign to him the strongest of my reasons for persisting to decline, I did not satisfy myself. The strongest of my reasons was a conscious inability to fulfil the expectations of the Institute and of the public if I should comply. Those expectations would run high, and would be disappointed. They would turn to disgust, and my discourse, instead of having any beneficial influence upon the public mind, would be turned as an instrument of obloquy against myself. So it has been with the exertions I have made against Freemasonry. So it has been with all my labors for internal improvement, for the support of the manufacturing interest, and for domestic industry and free labor. So it was for my honest ardor in the dispute with France at the last session of Congress; and so it will be to the

end of my political life—"Laudatur et alget." Nothing but an overruling sense of duty can justify me in giving any of my opinions to the public. No volunteering for me.

Mr. Wakeman took leave, thanking me for the politeness of my reception of him, and with a promise that I would answer Mr. Sullivan's letter.

8th. The day was devoted to the redemption of journal arrears, and I came to the account of the 4th of April, 1834, and the suppression by the previous question of my intended speech on the reasons of Secretary Taney for the removal of the deposits. I feel, on the revisal of the transactions of that day, as I felt at the time, a deep mortification at the trampling under foot of the first principles of freedom in the adoption of the fourth resolution of the Committee of Ways and Means, and the appointment of the travelling Bank Investigation Committee. It was a measure less pernicious in its effects than in its principle. The Directors of the bank understood and adhered to their rights, refused submission to their tyrannical inquisition, and sent them back to Washington as wise and as knowing as when they left it on their scrutinizing expedition. Thomas, the Chairman, vented his spleen by moving that the President and Directors of the bank should be brought to the bar of the House to answer for a contempt; but the motion only served to display in full relief the impotence of his malice, and the happy inability of the House of Representatives to tyrannize, even when they have lost the restraint of self-control. The issue of this procedure was consolatory to me, as demonstrating the weakness even of the House of Representatives in concert with the President of the United States, to tyrannize over individual citizens. My opinion, however, remains unchanged, that the House of Representatives dishonored themselves by a resolution which, if they had possessed the power of carrying it into execution, would have been most arbitrary and oppressive. The grasp at power has been a remarkable characteristic of this Administration, and the President, the Senate, and the House of Representatives each in turn have manifested the encroaching temper.

10th. I had a morning visit from Mr. Benjamin Gorham,

with Thomas F. Foster, a member of the last Congress from Georgia, and General Flournoy. Foster, like all the Georgians, is an ardent politician, somewhat infected with the nullification virus, and stiff as buckram for State rights, but honest, honorable, and talented. He was one of the delegation who lost the election to the new Congress by their taint of nullification. Wilde, Gilmer, Gamble, met the same failure, the Georgia delegation being elected by a general ticket. There are now three vacancies in the delegation—in the seats of Wayne, appointed a Judge of the Supreme Court of the United States, of Schley, who is a candidate for the office of Governor and has resigned his seat in Congress, and Terrill, who has resigned owing to ill health.

Foster said Gilmer had declined being a candidate, and that Wilde, who is gone to Europe, had left with his brother a discretionary power to declare him a candidate or not, as he should see fit. It was yet uncertain.

In the afternoon I had a visit from N. L. White, of Braintree, who is to take his first degree at Cambridge at the approaching Commencement, and has assigned to him for a part the character of the late Chief-Justice Marshall. He came to enquire of me if I knew what had been the Judge's religious opinions.

I told him that I did not; that I believed he was of the Episcopalian Church, and I presumed Judge Story, who had been very intimately acquainted with him, could inform him what had been his individual religious impressions.

Mr. White said he was limited to ten or twelve minutes for the delivery of his part; that he had written as much as would take three-quarters of an hour to speak, and now was lopping off, till he scarcely knew what he should lop off further. He said he knew himself, by his inexperience, incompetent to delineate the character of Judge Marshall, and thought no one could do it within the compass of the time allotted to him.

I said he must measure his ambition by the reasonable expectations which would be entertained of his performance, rather than by the copiousness of his subject.

He said he had seen and heard it affirmed that the office of

Chief Justice was more important than that of President of the United States, and asked me how that should be.

I said it was because the construction of the Constitution and laws of the United States was, in the last resort, given to the Supreme Court; and because the power of constructing the law is almost equivalent to the power of enacting it. The office of Chief Justice of the Supreme Court is held for life, that of the President of the United States only for four, or at most for eight, years. The office of Chief Justice requires a mind of energy sufficient to influence generally the minds of a majority of his associates; to accommodate his judgment to theirs, or theirs to his own; a judgment also capable of abiding the test of time and of giving satisfaction to the public. It requires a man profoundly learned in the law of nations, in the commercial and maritime law, in the civil law, in the common law of England, and in the general statute laws of the several States of the Union. With all these powers steadily exercised during a period of thirty-four years, Chief-Justice Marshall has settled many questions of constitutional law, certainly more than all the Presidents of the United States together.

11th. I received a letter from Mr. Frye, at Washington, about my private business, and in great distress and agony at an attempt of a negro slave of Mrs. Thornton's, at Washington, to murder her and her mother, Mrs. Brodeau. There is a great fermentation upon this subject of slavery at this time in all parts of the Union. The emancipation of the slaves in the British West India Colonies; the Colonization Society here; the current of public opinion running everywhere stronger and stronger into democracy and popular supremacy, contribute all to shake the fetters of servitude. The theory of the rights of man has taken deep root in the soil of civil society. It has allied itself with the feelings of humanity and the precepts of Christian benevolence. It has armed itself with the strength of organized association. It has linked itself with religious doctrines and religious fervor. Anti-slavery associations are formed in this country and in England, and they are already co-operating in concerted agency together. They have raised funds to support and circulate inflammatory newspapers and

pamphlets gratuitously, and they send multitudes of them into the Southern country, into the midst of the swarms of slaves. There is an Englishman by the name of Thompson, lately come over from England, who is travelling about the country, holding meetings and making eloquent inflammatory harangues, preaching the immediate abolition of slavery. The general disposition of the people here is averse to these movements, and Thompson has several times been routed by popular tumults. But in some places he meets favorable reception and makes converts. There has been recently an alarm of slave insurrection in the State of Mississippi, and several white persons have been hung by a summary process of what they call Lynch's law; that is, mob-law. Add to all this the approach of the Presidential election, and the question whether the President of the United States shall be a slave-holder or not. They never fail to touch upon this key in the South, and it has never yet failed of success. Rouse in the heart of the slave-holder the terror of his slave, and it will be a motive with him paramount to all others never to vote for any man not a slave-holder like himself. There are now calls in the Atlas, the Webster paper, and the Morning Post, the Jackson and Van Buren paper, at Boston, for a town-meeting to put down the abolitionists; but the disease is deeper than can be healed by town-meeting resolutions.

12th. At two o'clock I went in the carriage alone to Boston, and dined with Mr. Benjamin Gorham. The party consisted of Messrs. Flournoy and Foster, of Georgia, Charles Codman, Isaac P. Davis, Edward Everett, Abbott Lawrence, Joseph Russell, David Sears, Mr. Truman, and myself. Mrs. Gorham was the only lady at table. Mr. Sears has lately returned from France with his family. He went with the expectation of procuring for his children advantages of superior education. He returns disappointed, and convinced that the schools, whether for boys or girls, are not so good as those of this country.

Davis had a handbill from the Atlas newspaper office, containing an account of continued riots at Baltimore on Saturday and Sunday last, in which the houses of Reverdy Johnson, John Glenn, and John B. Morris were destroyed by the mobility. In those two days the authorities of the city and of the State

appear scarcely to have made an effort to sustain the laws and the rights of property. The riotous spirit manifested itself also last night at Charlestown and Roxbury, by an attempt to celebrate in a tumultuous manner the anniversary of the destruction of the Roman Catholic nunnery at Charlestown. It is said this was suppressed; but Edward Everett says there were riotous assemblages in the streets, very noisy, till late last night. The Baltimore riot was directed against all the persons implicated in the fraudulent failure of the Bank of Maryland, which happened nearly eighteen months ago. Mr. Abbott Lawrence told me that they were going to have a very great meeting at Boston to put down the anti-slavery abolitionists; but, he said, there was no diversity of opinion upon that subject here. That, I think, will depend upon the measures to be proposed. If the measures are vaporing resolutions, they will pass unanimously, and be inefficient. If the measures are efficient, there will be diversity of opinion.

I took with me to Boston the first volume of the letters from Horace Walpole to Sir Horace Mann. The letters are of the winter of 1741 and 1742, and are very interesting, by containing the detailed account of the breaking up of the Ministry of Sir Robert Walpole. The letters from the Minister's son, living with him, and himself a member of Parliament, witnessing and reporting from day to day the successive votes marking the decline and fall of a great man from power, afford a melancholy but instructive picture of human nature in the high political relations of society. The picture has strong resemblance to others of which I have had more knowledge and experience.

13th. Isaac P. Davis told me yesterday that Dr. Charles Lowell and he were coming out to Quincy to invite me, in the name of the Historical Society, to deliver the introductory lecture to a course of lectures upon history, which it is proposed shall be delivered the ensuing winter at the meetings of the Society.

I said I should be happy to see him and Dr. Lowell whenever it might suit their convenience, but I was apprehensive I should not be able to comply with the invitation of the Society. This I am obliged to do for consistency's sake, after so many

refusals of similar invitations; but there is nothing which I should more willingly have undertaken than this, and I reproach myself for my own imbecility in rejecting the proposal.

14th. The accounts of the riots in Baltimore continue. In the State of Mississippi mobs are hanging up blacks suspected of insurgency, and whites suspected of abetting them. At Charleston, South Carolina, mobs of slave-holding gentlemen intercept the mails and take out from them all the inflammatory pamphlets circulated by the abolitionists, who, in their turn, are making every possible exertion to kindle the flame of insurrection among the slaves. We are in a state of profound peace and over-pampered with prosperity; yet the elements of exterminating war seem to be in vehement fermentation, and one can scarcely foresee to what it will lead.

15th. There was a meeting of the inhabitants of the town of Quincy yesterday afternoon upon the Rev. Mr. Cornell's slanderous report, published in the thirty-sixth annual report of the Massachusetts Missionary Society, and republished in the newspaper called the Trumpet, and Universalists' Magazine of the 1st of this month. It was a very full meeting, notwithstanding the foul weather, which prevented me from attending it. This morning a notification, by George Nightingale, the Town-Clerk, was brought to me, that a committee of eleven—John Q. Adams, Josiah Brigham, Thomas Greenleaf, Captain Eliphalet Smith, Noah Curtis, Jedediah Adams, Major Zebediah Hollis, George W. Beale, Ebenezer Bent, Ebenezer Jewett, and Frederick Hardwick—were chosen to take into consideration the whole matter of the publication in the Trumpet, and to report to the town at the adjournment of the meeting, next Friday, the 21st instant, such course of proceedings as they shall deem expedient. I desired him to notify the members of the committee to meet at the Town-Hall at six o'clock this afternoon. The committee met accordingly, nine members present; Captain Smith and Mr. Bent absent. After some conversation upon the subject, it was determined that I should prepare a letter to Mr. Cornell, to be signed by all the members of the committee, apprising him of their appointment, and giving him an opportunity to explain, or disclaim, or justify his libellous

imputations upon the people of the town. I engaged to prepare such a letter to-morrow morning before the meeting-time, to be signed in the course of the day by all the committee, and sent to Mr. Cornell Monday morning, and requesting his answer before Wednesday evening, six o'clock, to which time the meeting of the committee was adjourned.

16th. This morning I wrote a letter to the Rev. William M. Cornell, to be signed by all the members of the committee. I signed it myself, and took it with me to the meeting-house, where I gave it to Mr. Josiah Brigham, the member next named on the committee, who promised to obtain the signatures of all the other members and to send it to-morrow morning to Mr. Cornell.

18th. I received from Washington a Richmond Enquirer containing the address of the Baltimore Van Buren Convention to the Democratic Republicans of the United States. There is something extraordinary in the present condition of parties throughout the Union. Slavery and democracy, especially the democracy founded, as ours is, upon the rights of man, would seem to be incompatible with each other. And yet at this time the democracy of the country is supported chiefly, if not entirely, by slavery. There is a small, shallow, and enthusiastic party preaching the abolition of slavery upon the principles of extreme democracy; but the democratic spirit and the popular feeling is everywhere against them. There have been riots at Washington not much inferior in atrocity to those at Baltimore. A slave of Mrs. Thornton's made an attempt to murder her and her mother with an axe in the night. He was prevented from accomplishing his purpose by his own mother; and, in revenge for this, mobs of white people at Washington have destroyed sundry negro houses, school-houses, and a church. In the State of Mississippi they have hanged up several persons for circulating abolition pamphlets. In Charleston, South Carolina, the principal men of the State, with the late Governor, Hayne, at their head, seize upon the mails, with the co-operation of the Postmaster himself, and purify it of the abolition pamphlets; and the Postmaster-General, Amos Kendall, neither approves nor disapproves of this proceeding. At Washington,

a man named Crandall has been imprisoned for circulating incendiary pamphlets, and in Halifax County, Virginia, a man named David F. Robertson, a Scotch teacher, was in danger of his life, because another man named Robertson was suspected of having dropped in a steamboat the first number of a newspaper printed at New York with the title of Human Rights. In Boston there is a call for a town-meeting, signed by more than five hundred names, with H. G. Otis and P. C. Brooks at their head. This meeting is to be held next Friday, and is to pass resolutions against the abolitionists to soothe and conciliate the temper of the Southern slave-holders. All this is democracy and the rights of man.

19th. At six o'clock this afternoon Mr. Beale called, and I went with him and Mr. Thomas Greenleaf to meet the committee at the Town-Hall. Every member of the committee was present. Mr. Cornell's answer to the letter of the committee was read and discussed. It is very respectful in style and manner, but neither denies the imputations in the report to the Missionary Society, published in their pamphlet, nor adduces any evidence in support of them. He intimates that all the persons who concurred in the publication are responsible. The committee determined that the Chairman should write a second letter to Mr. Cornell, calling upon him for the evidence upon which he made those imputations, and requesting him to answer before to-morrow evening, six o'clock, to which time the committee adjourned their meeting.

20th. I wrote to the Rev. Mr. Cornell a second letter, in behalf of the committee of the town of Quincy, and received his answer. I attended the meeting of the committee at the Town-Hall at six o'clock in the afternoon, and read to them my letter to Mr. Cornell, and his answer, which is merely evasive. It was then voted that the Chairman be requested to prepare a report to be made to the town at their adjourned meeting to-morrow afternoon at five o'clock, and that the committee meet at four, to consider and discuss the report. There was some question whether a corporation could be prosecuted or prosecute for slander. I proposed that the letters which have passed between the committee and Mr. Cornell should be reported,

with a few brief remarks upon it by the committee, and that it be recommended to the town to pass resolutions, that the allegations in the report of Mr. Cornell to the Missionary Society, and published in their thirty-sixth annual report, injurious to the moral and religious character of the town of Quincy, are false and scandalous; that the correspondence of the committee with him, and the proceedings of the town upon the whole subject, be published in a newspaper and inserted in the town records. I suggested that perhaps it might be proper to address a letter to the President of the American Missionary Society, complaining of the publication of this libel upon the inhabitants of Quincy; but the committee thought this would make more town-meetings necessary, and might lead to angry religious controversy.

21st. At four in the afternoon I attended the committee; G. W. Beale and Noah Curtis were absent; all the other members present. I read my report, which was approved, and signed by all the members of the committee present. The adjourned meeting of the town was held at five o'clock, and was fully attended. Mr. Beale came to the town-meeting and signed the report. Josiah Brigham was Moderator. He read the proceedings of the former meeting, stated the appointment of the committee, and said the town had now met to receive their report. I then read the report, and the correspondence between the committee and Mr. Cornell. The report closed with two resolutions proposed for the adoption of the town—the first, declaring the statements injurious to the moral and religious character of the inhabitants of Quincy, in Mr. Cornell's report to the Massachusetts Missionary Society, wholly destitute of truth or reasonable foundation; the second, that the report and the correspondence between the committee and the Rev. Mr. Cornell be entered upon the records of the town, and published in the newspaper. The blank was filled with the Sentinel, the Daily Advertiser and Patriot, and the Trumpet.

After the report was read, and a short pause, the Moderator invited the inhabitants of the town to express their sentiments. Daniel Greenleaf moved that the report of the committee be

accepted, the resolutions adopted, and the thanks of the town given to the committee for their services.

The question was put separately upon each of the two resolutions, and then upon the acceptance of the report, and all voted unanimously. I moved that all the proceedings of the town upon the subject should be published with the report and the correspondence; which was adopted. Harvey Field moved that one hundred extra copies of each of the three newspapers containing the proceedings should be printed, so that each householder of the town should have a copy. Benjamin Bass thought this would occasion unnecessary expense, but he was the only one who voted against it. The Selectmen of the town were charged with the publication in the newspapers.

After this, Ibrahim Bartlett, one of the schoolmasters of the town, said that reports had been circulated concerning him which he wished openly in the face of the town to contradict. One was, that he had said he would take off the ears of Mr. Cornell. He never had said so; and whoever asserted that he had was a wretch. The other was, that if it had not been for him there would have been no town-meeting on this matter. This was an honor to which he was not entitled. He had not signed the petition to the Selectmen for the town-meeting. He had even opposed it, though he was now glad it had been held. He had thought the publication by the Selectmen would be sufficient, but he had now altered his opinion. Hollis said he hoped the gentleman would not be alarmed at idle reports of his being inclined to violent measures; worse things had been said of him, and not wholly without reason. The vote of thanks to the committee for their services was adopted, and the meeting dissolved before seven o'clock. There was a town-meeting also at Boston this evening to pass resolutions against the proceedings of the abolitionists, as they are called —the preachers of slave emancipation.

22d. The Rev. Samuel Nott, Jr., minister of a Congregational Church and Society at Wareham, in the county of Plymouth, paid me a morning visit of kindness and curiosity, and gave me a small volume of sermons published by him, and entitled Sermons from the Fowls of the Air and the Lilies of the Field.

He told me that he had been some time a missionary in India, and that he had seen me once in London at a meeting of the British and Foreign School Society, in the year 1816 (13th May). We had some conversation upon the most agitating topic of this time—slavery and its abolition. He thought that the abolition of slavery must come, but that it should be gradual, beginning by attaching the slave to the soil, like the serfs in the north of Europe.

I said Mr. Rufus King had expressed a similar opinion in a speech on the Missouri question in the Senate of the United States; but I believed the slave-holders would never consent to it. My own opinion is, that the planters of the South will separate from the Union, in terror of the emancipation of their slaves, and that then the slaves will emancipate themselves by a servile war. This consummation may be yet remote, and must be preceded by the sacrifice of the public lands to the Western States, effected by the co-operation of the South to purchase that of the West in perpetuating the servitude of their negroes. This coalition accomplished the election of Andrew Jackson as President of the United States, and is now in full vigor to secure the election of his successor. This is the under-current, with the tide of democracy at the surface.

September 1st. Harvey Field brought me a printed petition to the Legislature of the Commonwealth for the abolition of capital punishment. He asked if I would sign it. I declined, and told him I had not brought my mind to the conclusion that it would be for the good of the community. We have by the laws of the Commonwealth only five crimes punishable with death—treason, murder, burglary, arson, and rape. Now, a law to save the precious lives of men guilty of either of those crimes has, in my judgment, little claim to the merit of humanity. They are a class of people with whom humanity cannot sympathize. A law to prohibit the killing of rattlesnakes would be as rational, and might be urged also upon principles of humanity. There is another point of view in which the abolition of capital punishment at this time is specially objectionable. While such exceeding tenderness is felt for the lives of traitors, murderers, and robbers, here is the sovereign people hanging

up, without judge or jury, gamblers, and even the mere circulators of printed papers recommending the abolition of slavery. On one hand we have the most reckless disregard of human life, and the punishment of death summarily inflicted for offences comparatively light, and even for that which is no offence at all; on the other, traitors and murderers are taken into peculiar favor, and their lives must be preserved and guarded as if they were the very jewels of the land. The signs of the times are portentous. All the tendencies of legislation are to the removal of restrictions from the vicious and the guilty, and to the exercise of all the powers of government, legislative, judicial, and executive, by lawless assemblages of individuals. I have, however, no doubt that the punishment of death will be abolished in this Commonwealth, and in all probability throughout this Union.

WASHINGTON, *November* 16th.—I called this morning at the office of the Secretary of War with the petition of Thomas Vinson for the increase of his pension, and the papers in the case of Thomas Church, who was a pensioner under the Act of March, 1818, and was struck off the list under the Act of May, 1821, and said I should probably move for a statement of all the pensioners who had been struck off from the list because they had some property. I conversed with him also on the controversy between Ohio and Michigan, and the self-constitution of the latter into a State, for which he said there was a precedent in the case of the State of Tennessee. He spoke also of the public lands, for the sale of which in the present year, he said, the proceeds paid into the Treasury would amount to ten millions of dollars. We had also a long conversation upon the state of our dispute with France, which I greatly fear, from what he said, that there is little prospect of being satisfactorily adjusted. He spoke of a declaration to be made by the President in his message, that the French Government had demanded an explanation which never could or would be given. I said negotiation was the art of avoiding direct issues, and that if such a declaration should be made, I thought settlement would be farther off than ever.

17th. I was occupied upwards of two hours in searching

among my papers for the copy of Mr. Crawford's cipher, but without success. I found, however, a number of letters and dispatches belonging to the Department of State, which have been packed up with my papers since I have been out of office. I took them to the Department of State, where I saw first Asbury Dickins, the Chief Clerk, and afterwards the Secretary, Forsyth. I enquired if there was upon the records of the Department a copy of the report of Thomas Jefferson of 24th April, 1790, to President Washington, upon the constructive power of the Senate in the case of appointments of Ministers to foreign countries. I examined the volume of reports made by Mr. Jefferson to both Houses of Congress, but it was not among them. Mr. Forsyth said there was, no doubt, a copy of it among Mr. Jefferson's papers, in the possession of Thomas Jefferson Randolph, his grandson. Mr. Forsyth's anxiety to procure a copy of Mr. Crawford's cipher is to obtain evidence in support of a statement that the Emperor Alexander, through General La Fayette, did offer to include the claims of the United States against France with those of the allied powers, but that Mr. Crawford declined assenting to it. Forsyth spoke also of a claim by the Belgian Government for reciprocity of duties, founded upon a questionable allowance by us of the same to the Hollanders. It was left a standing controversy with the Dutch when my Administration terminated. Forsyth said the President would mention it in his message, and that his opinion concurred with mine in this case.

18th. I returned Mr. Woodbury's visit by a card, and called upon him at his office of Secretary of the Treasury; had a conversation with him upon the alterations proposed of the laws for the collection of the revenue.

He referred me to the report on that subject made by him at the last session of Congress, and to a bill which then passed the Senate, but not the House.

I spoke also of my intention to propose again a rule of the House, requiring the Committee of Ways and Means to report the General Appropriation bills within thirty days from the beginning of the session, or the reasons for further delay.

He said this might easily be done, as he had made the last

annual report on the finances the first week of the session, and should do so again.

I spoke of the constitutional provisos inserted into Appropriation bills as of an exceedingly dangerous practice.

He spoke of the Patronage bill of the last session, and of the Boston pamphlet[1] in opposition to it, which he characterized as of great ability. I told him that I was not the author of it, and told him also who was. He said it had given him a new view of the subject, and quite conclusive as against the bill.

20th. As the session of Congress approaches, I feel the duty of preparing by search for information to act upon measures which may come before them for consideration. The first which I intend myself to bring before them is a plan for expediting the passage of the General Appropriation bills. After consulting the journals of the House of Representatives for the last two sessions, I walked to the Capitol. At the office of the Clerk of the House, I looked at the journal of the Senate at their last session. In the library, I consulted Hatsell's Precedents, Gray's Parliamentary Debates, and the journals of the House of Commons for cases of messages from one House to the other, to *remind* them of a bill before them. I made a few extracts from them. Jefferson's Manual, Section 47, refers to 3 Hatsell, 28, and 5 Gray, 154. I examined both these passages, and the journal of the House of Commons, to which Hatsell refers. The latest precedent that I found of a *reminding* message was of February, 1721–2. I had not time to finish my examination, and must resume it. In the evening I began to write upon the proposed resolution for a new rule of the House to spur the passage of the Appropriation bills, and immediately the range of argument for the measure expanded before me. New research became necessary, and I was able to write only a few lines when the time came.

23d. There seems to be an impulse more powerful than my will, which engrosses and swallows up my time in some one object of occupation to the exclusion of all others. The rule

[1] An Appeal from the New to the Old Whigs, by a Whig of the Old School, Boston, 1835.

for the House now forms that object, and I can neither get through with my reflections upon it nor abstract myself from them. After dinner I had a visit from Mr. Fendall, and had much conversation with him respecting Jonathan Russell's Ghent conspiracy against me; a full account of which I gave him, from his private letter of 24th December, 1814, to Mr. Monroe, to his triplicate letter in Walsh's Gazette of May, 1822. Among the dark spots in human nature which, in the course of my life, I have observed, the devices of rivals to ruin me have been sorry pictures of the heart of man. They first exhibited themselves at college, but in the short time that I was there their operation could not be of much effect. But from the day that I quitted the walls of Harvard, H. G. Otis, Theophilus Parsons, Timothy Pickering, James A. Bayard, Henry Clay, Jonathan Russell, William H. Crawford, John C. Calhoun, Andrew Jackson, Daniel Webster, and John Davis, W. B. Giles, and John Randolph, have used up their faculties in base and dirty tricks to thwart my progress in life and destroy my character. Others have acted as instruments to these, and among these Russell was the most contemptible, because he was the mere jackal to Clay. He is also the only one of the list whom I have signally punished. To almost all the rest I have returned good for evil. I have never wronged any one of them, and have even neglected too much my self-defence against them.

26th. Harassed excessively with my own reflections upon the proposed new rule for the transaction of business in the House, upon which I grow disheartened as I proceed, and consider what I ought to say, but what it will probably be of no avail if I do say it. My mind is oppressed beyond what it ever was before, between a sense of public duty to take a bold and independent stand, and the almost certainty of being overpowered and broken down in the operation. I went into the Clerk's office, and enquired of Burch whether he had ever known of a message from one House of Congress to the other *reminding* of a bill, before that from the Senate at the close of the last session. He said he could speak positively as to the last thirty years—there had been no such message. He

promised to enquire of Mr. Lowrie whether he had ever known of such a procedure in the Senate.

27th. In the evening I returned the visit of General Macomb, and found only him and Mrs. Macomb at home. He persuaded me to play a game of chess with him, and easily beat me. He gave me the Globe of this day, containing a letter from R. P. Letcher, styled H. Clay's right bower—remarkable, written in the House of Representatives on the 7th of February last, immediately after my war speech, as it was called. The letter is addressed to a member of the Kentucky Legislature named Breck. Letcher confidently prophesies war before a very few months—reminds Breck that he had told him so before—says Jackson will have a war, and that Johnny Q. will go with him—then comments upon my strange speech; says Judge White is running for the Presidency, head and tail up; that if he would withdraw, his wife would not let him; says that if there is a war, the whole South to a man will call for Clay to run for the Presidency; that it would be well for the Legislature of Kentucky to show some strong mark of confidence in Mr. Clay; but asks, what can you do when your own friends are against you? This letter accounts for Clay's exasperation at my speech. It blew up his hopes from the South in the chance of a war.

28th. Morning visit from Mr. Lawrence, member of the House of Representatives from Boston, who arrived here last evening, having come to take his seat in the hall, and to engage lodgings for his family, which he has done at Gadsby's. I had a long conversation with him upon general politics, without trenching upon any points of collision. I mentioned to him my intention to offer a resolution for a new rule of the House, and for the restoration of the Revolutionary pensioners of 1818, struck off the list by the Act of 1820, and not restored; both of which he approved; and it suggested to me the expediency of proposing the first, as far as possible, without moving hostilities. But how to do this?

29th. I finished the sketch of an essay upon a proposed new rule for the House of Representatives, upon which I have been ten days engaged, and with which I am so dissatisfied that I shall probably make no use of it whatever. I received a letter

from S. S. Southworth, dated Providence, 10th November, where he said he was called by domestic affliction; that he was on his way to Washington; that he had just received my letter, which would be published in the Bangor Whig and Courier; that he has seen Mr. Burges, and is sorry to say that his bitterness towards me is not often suppressed. Southworth is an author to be let.

30th. I had begun three days since a letter to my son Charles, and had not found time to finish it till this day, and it took me the day, excepting an hour and a half that I wasted in reading my discourse on a new rule for the House. I read in Mr. Sullivan's Moral Class Book this morning that there is no reason why a man should not put another man to death *civilly*. I read also that no well-disciplined moral being can have a really disagreeable voice. Sullivan's father once told me that his son William was too polite, and he has a very soft, soothing voice. He further says that a penitent pirate may be happy that he is going to be hanged. The Moral Class Book is much admired.

January 2d, 1836.—Received a letter from Henry Channing, at New York, close upon seventy-six years of age; very anxious for the welfare of his country, but not very sagacious in the estimate of its wants and its woes. Mr. Channing mentions that he sends me, with his letter, a pamphlet on the imminent dangers to the free institutions of the United States through foreign immigration and the present state of the naturalization laws; but the pamphlet did not come. There was, however, another pamphlet of remarks upon one recently published by Dr. William Channing, of Boston. This gentleman, like his uncle, though with a much more splendid reputation, has for many years united the characters of a high-toned party politician with those of a popular preacher and an eminent essayist in magazines and reviews. Among his other moral and political impulses, he has meddled much with the subject of slavery, and, though otherwise sagacious enough to keep on the popular side of politics in the region where he resided, he has not kept pace with the changes of public opinion upon this subject, and

now finds himself in a discredited and obnoxious minority. In defence of his opinions, he has recently published a pamphlet, which I have not seen, but to which this is a sharp and contentious answer.

4th. I attended the House with feelings of no small anxiety. After the reading of the journal, the Speaker called the States for petitions, beginning with Maine. When he came to Massachusetts, I presented the memorial of F. C. Gray, and others, praying for an Act similar to that which passed the Senate at the last session of Congress to indemnify them for French spoliations prior to the year 1800. The memorial was, at my motion, without reading, referred to the Committee of Foreign Affairs. I next presented the petition of Albert Pabodie and one hundred and fifty-three inhabitants of Millbury, in the county of Worcester and Commonwealth of Massachusetts, praying for the abolition of slavery and the slave-trade in the District of Columbia. The petition was couched in the same language with that which Briggs had presented last week, and which, after it had been referred to the Committee of the District of Columbia, was by a reconsidered vote laid on the table, together with the motion that it should be printed. I therefore now, after stating the contents of the petition from Millbury, said it was my intention to move that, without reading, it should be laid on the table.

I was instantly interrupted by my next neighbor, John M. Patton, who enquired whether the petition had been received; to which the Speaker answered that it had not; whereupon Thomas Glascock, a new member from Georgia, moved that it be not received, and was proceeding to make a speech, when I called him to order; and, appealing to the forty-fifth rule of the House, which prescribes that there shall be no debate upon petitions on the day when they are presented, I demanded that the debate should now be postponed to a day certain; that this day might be free for the receipt of petitions from all the States. The Speaker decided that as the petition had not been received, it was not in possession of the House, and that the fortieth rule of the House, interdicting debate, did not apply. From this decision I appealed, and asked for the yeas and nays;

which were ordered, and a debate arose upon the appeal, which consumed the day. I spoke twice, the second time after a clamorous call for the question; but after I had spoken, Vinton, of Ohio, moved an adjournment; which was carried, leaving the question undecided.

5th. The journal of yesterday was rectified at a suggestion of mine. The question upon my appeal from the Speaker's decision was the first business before the House, but Cambreleng, Chairman of the Committee of Ways and Means, asked a postponement of it, that he might report certain bills from that committee. Other Chairmen of committees were equally urgent for an opportunity to report, and I readily consented to postpone the question upon the appeal till next Tuesday.

6th. At the House, the thirty days from the commencement of the session having expired, the business of the day commenced by a call of the States for resolutions.

Jarvis, of Maine, offered, as he said, at the request of Owens, of Georgia, a resolution declaring that the House will not entertain any petitions for the abolition of slavery in the District of Columbia, and he said that it was almost the universal opinion of the North that Congress had no right to interfere with slavery. He read resolutions apparently to that effect adopted at some meeting last summer in the State of Maine.

I asked him to consent that the consideration of his resolution should be postponed, to give an opportunity to other members to offer resolutions; but he declined.

Huntsman, of Tennessee, came to my seat and asked me to move to lay the resolution on the table, and said they would support that. I made the motion accordingly, and it was rejected, by yeas and nays—one hundred and twenty-three to sixty-six, Huntsman himself voting with the majority.

Wise then moved two or three resolutions as substitutes for those offered by Jarvis; and they declared that Congress had no power to abolish slavery in the District of Columbia. Owens had said last week that he would move the resolution now offered by Jarvis, and would immediately call for the previous question upon it. Wise now, in offering his substitute, said he should like to see who would move the previous ques-

tion upon it. Glascock offered a resolution as an amendment to those of Wise, but Wise accepted it as a modification of his resolutions. Cambreleng had been some time calling for the orders of the day; the hour for resolutions having expired, he now succeeded.

8th. I answered a letter from James C. Doane, of Cohasset, and read part of a pamphlet on slavery, by the Rev. Dr. Channing, of Boston. He treats the subject so smoothly that some of the Southern slave-holders have quoted it with approbation, as favoring their side of the question; but it is in fact an inflammatory, if not an incendiary, publication. There is a chapter containing an exposition of the nature and character of slavery; then, one upon rights; and then, one of explanations. These have a very jesuitical complexion. The wrong or crime of slavery is set forth in all its most odious colors, and then the explanations disclaim all imputation of criminality upon the slave-holders. There are some remarks, certainly just, upon the relaxation of the moral principle in its application to individual obligation necessarily resulting from ancient and established institutions. But this is an exceedingly nice and difficult line to draw, and belongs at least as much to the science of casuistry as to that of ethics.

9th. At ten o'clock, or as soon after as I could get out of my house and reach the Capitol, I met the committee on the President's message relating to the Smithsonian bequest. The members present were Garland, of Virginia, McKennan, of Pennsylvania, Pearce, of Rhode Island, Thomas, of Maryland, and Chapin, of New York. The absent members were Garland, of Louisiana, Hannegan, of Indiana, and Speight, of North Carolina, who is still confined by illness. The members now present had got over their scruples with regard to the acceptance of the bequest, and directed me to prepare a report and a bill to that effect. A committee of the Senate, the Chairman of which was Benjamin Watkins Leigh, of Virginia, have already reported to that effect, and presented a joint resolution authorizing the President to obtain the funds, and making an appropriation of five thousand dollars to defray the expenses which may thereby be occasioned. Mr. Leigh's report con-

tains a short and satisfactory argument for the competency of Congress to accept the bequest, and showing it to be their duty. But, as money cannot constitutionally be appropriated by resolutions, my direction from the committee is to prepare a bill, and to make the appropriation ten thousand instead of five thousand dollars.

10th. I called successively upon Mr. Bankhead, Chargé d'Affaires from Great Britain, and upon Colonel Aspinwall, who is at Fuller's, to enquire if either of them could give me any further information respecting Mr. James Smithson; but they could not. I was desirous of obtaining it for the purpose of introducing into the report of the committee upon his bequest some complimentary notice of the donor. But so little are the feelings of others in unison with mine on this occasion, and so strange is this donation of half a million of dollars for the noblest of purposes, that no one thinks of attributing it to a benevolent motive. Vail intimates in his letter that the man was supposed to be insane. Bankhead thinks he must have had republican propensities; which is probable. Colonel Aspinwall conjectures that Mr. Smithson was an antenuptial son of the first Duke and Duchess of Northumberland, and thus an elder brother of the late Duke. But how he came to have a nephew named Hungerford, son of a brother named Dickinson, and why he made this contingent bequest to the United States of America, no one can tell. The report, if it hazards any reflection upon the subject, must be very guarded. Mr. Bankhead thought it was a fine windfall for the city of Washington, and hoped if a professor of divinity should be wanted we should remember his friend Hawley. Mrs. Bankhead was in admiration of the splendid edifice that might be erected with the money.

Colonel Aspinwall said it would be easy to obtain the information which I desired in England, but that he had made no enquiries at the time when he had procured and forwarded to the Department of State a copy of the will, because the bequest was then contingent, and it was very uncertain whether it would ever take effect. The will was made in 1826—the year before which, the testator's nephew, the present Duke of North-

umberland, had been upon a magnificent Embassy Extraordinary at the coronation of Charles the Tenth of France. There seems to have been a determination in the mind of the testator that his estate should in no event go to the Duke of Northumberland or to any of his family. But certainly in the bequest itself there is a high and honorable sentiment of philanthropy, and a glorious testimonial of confidence in the institutions of this Union. A stranger to this country, knowing it only by its history, bearing in his person the blood of the Percys and the Seymours, brother to a nobleman of the highest rank in British heraldry, who fought against the revolution of our independence at Bunker's Hill—that he should be the man to found, at the city of Washington, for the United States of America, an establishment for the increase and diffusion of knowledge among men, is an event in which I see the finger of Providence, compassing great results by incomprehensible means. May the Congress of the Union be deeply impressed with the solemn duties devolving upon them by this trust, and carry it into effect in the fulness of its spirit, and to the increase and diffusion of knowledge among men!

12th. I made this morning a draft of a bill to enable the President of the United States to obtain and cause to be remitted to the United States the funds bequeathed to them by James Smithson for the establishment at Washington of an institution for the increase and diffusion of knowledge among men. The committee of the Senate have reported for the same purpose a joint resolution containing an appropriation. I took it as the basis of my draft, but added a section providing that the agent to be appointed should give bonds to the Treasurer of the United States for the faithful performance of his trust and the remittance of all the moneys and other funds that he may receive in fulfilment of the bequest. This labor occupied my time, so that I had none left to journalize.

At the House, my appeal from the decision of the Speaker, that the forty-fifth rule of the House does not apply to a motion that a petition be not received, was the special order of the day. Before calling the House to order, Mr. Polk came

to my seat and spoke somewhat doubtingly whether he should first announce it to be taken up or the unfinished business of yesterday. I said I supposed the special order would come up of course. He did accordingly announce it. Ward, of New York, moved that it should be postponed till next Monday; which gave rise to a short debate. The postponement was a Van Buren or majority measure, upon which the division was not sectional, but political. I opposed the postponement, on the grounds that the question to be decided on the appeal was not confined to petitions upon the subject of slavery, but to all petitions; but that it must be decided before the question could be taken whether the petition presented by me should or should not be received. As the petitioners had thought proper to send their petition to me, I wished to be able to inform them what disposition of it has been made by the House. I objected also to the postponement to next Monday, because, that being the day for receiving petitions, the debate, if renewed, would again interfere with the performance of that duty. The postponement was, however, carried.

13th. Jarvis called up his resolution declaring that the subject of abolishing slavery in the District of Columbia ought not to be entertained by Congress, and that all petitions that may be presented demanding it should be laid on the table without printing. This was Jarvis's resolution, but he had borrowed it from Owens, of Georgia, who had given notice that he would move it and then immediately move the previous question. But when Jarvis moved his resolution, Wise immediately moved as an amendment a declaration that Congress have no power to abolish slavery, and said he would see who would move the previous question on that.

Glascock moved as an amendment to Wise's amendment a declaration that any attempt to agitate the question of abolishing slavery in the District of Columbia would lead to the danger of a servile war.

He meant this as a substitute for Wise's amendment; but Wise disconcerted him by accepting the amendment as part of his own.

Chilton Allen now moved to lay the whole triad of resolu-

tions upon the table; but this was rejected, by yeas and nays—fifty-eight to one hundred and fifty-five.

Holsey, of Georgia, then claimed the floor. Cambreleng told him he should in five minutes call for the orders of the day. Holsey moved to postpone till next Tuesday. Parks moved to postpone till to-morrow. No decision was made by the House, but the vote to postpone till Tuesday was carried.

14th. The morning hours till breakfast were still occupied in preparing the draft of a report for the committee on the message of the President concerning the bequest of James Smithson; and, being anxious to get through with it, I resumed the work this evening, and finished the first draft.

Mr. Granger, of New York, came to my seat, and said that Mr. Thompson, of South Carolina, was desirous of being introduced to me, but felt some scruple, under an apprehension that I might have taken offence at some remarks made by him in one of his speeches censorial upon me.

I told Granger that I scarcely ever noticed in any manner any personality bearing upon me by any member of the House, and that nothing said by Mr. Thompson had given me the slightest offence.

Granger afterwards brought Thompson to my seat and introduced him. I found him much of a gentleman.

15th. I carried round my report on the message relating to the Smithsonian bequest to all the members of the committee excepting Speight, who is yet confined by illness; it was unanimously approved, though Hannegan said he was opposed to accepting the bequest, and Garland, of Louisiana, thought the Chargé d'Affaires or Consul at London should be authorized to procure and remit the funds, instead of a special agent. The other members of the committee approved the bill as well as the report.

16th. I brought back my report on the Smithson bequest message, to revise and correct the manuscript, feeling no small degree of anxiety concerning it. The occasion is very extraordinary, as an incident in the course of legislation. The reference of the message to a select committee was made not without some murmurings from members of the Committee on the Dis-

trict of Columbia. The report of the committee of the Senate has been very favorably received, and pronounced a very able one, but it does not touch upon any one of the views which occupy nearly the whole of mine. The condition of the testator, the nature of the trust, the character of the trustee, and the practical effect of our political institutions upon the moral feeling of Europe, illustrated by this incident, are not even glanced at in the Senatorial report, written by Benjamin Watkins Leigh. Mine embraces them all. The unanimous acceptance of my report by all the members of the committee who attended the committee meetings gives me some encouragement; but, slandered as I now am by hireling snakes of all parties, and in almost every newspaper, I am sure to be reviled for everything that I do or say, and can foresee nothing but censure. Whether this bequest will ever come to anything is much doubted by almost every one. A spurious bastard claimant of the estate is anticipated, and seems to be threatened, from Mr. Daniel Brent's communications about the family of Labattut. The delays and iniquities of the English Court of Chancery are foreseen and foretold; and questions are made in the public journals whether the whole affair is not an imposture. All this may be; but through all this I look at the whole romance as officially presented to us, and, presuming all to be true, prepared my report accordingly. A heavy responsibility; but so be it.

17th. I was writing an answer to a letter from Thaddeus Stevens, a member of the Pennsylvania Legislature, in which he asked my opinion of General William H. Harrison's Anti-Masonry. Stevens is the great Anti-Masonic leader in Pennsylvania at this time; he is also a partisan of Mr. Webster for the succession to the Presidency. He had a correspondence with Harrison upon Masonry, and was not satisfied with his answers. He was a member of a late Anti-Masonic State Convention, where he wished to have Webster nominated, but where Harrison was nominated by a vote of more than three to one. Stevens, with Harmar Denny and seven others, seceded from the Convention, and published an angry declaration denouncing them; and now he writes to me, enclosing a

newspaper containing his correspondence with Harrison, and enquiring my opinion of Harrison's Anti-Masonry. I have declined giving it, because it was asked merely to operate against the nomination of Harrison, and I wish to avoid all interference with the election.

I saw in a newspaper an advertisement of a new edition of Halleck's Alnwick Castle and other Poems, and it occurred to me that a notice of Alnwick Castle would be a good addition to the report on the Smithson bequest. I accordingly slipped it in between Chevy Chace, Addison, and Shakspeare. In this I have the intention to attract the notice of the public to Halleck's merit as a lyric poet, to accredit our national literature by placing the first of our lyric poets thus in line with Addison and Shakspeare, and to add another twig to the laurel of the Percys. The additional member of the sentence harmonizes well with the whole tenor of the period, though it has the inconvenience of lengthening the paragraph, already perhaps too long.

18th. Petition day at the House. My appeal from the decision of the Speaker had been postponed to this day, and was now, at the motion of Hawes, postponed again till Thursday next. The States are called over for petitions. Maine had scarcely been gone through when a message from the President was announced, and, by unanimous consent, was immediately read. It was the final statement of the dispute with France, with the latest correspondence between our Chargé d'Affaires, Barton, and the Duke de Broglie, and between our Secretary of State, Forsyth, and the French Chargé d'Affaires, Pageot, until these diplomatic subalterns were on both sides recalled. Immediately after the message was read, McKeon, of New York, started up, and sent a paper of resolutions to the Clerk. The Speaker said some disposal must first be made of the message. There was a call for the reading of the correspondence, and it was read. John Y. Mason, Chairman of the Committee of Foreign Relations, moved the reference of the message and documents to that committee; which was done. McKeon insisted upon offering his resolutions, but the House would not permit them even to be read. He gave notice, amidst

loud calls of order, that his resolutions were to approve the course of the President, and that he should take the earliest possible opportunity to present them. At the motion of Hawes, twenty thousand extra copies of the message and correspondence were ordered to be printed.

The call for petitions was then resumed. When the turn of Massachusetts came, I presented, first, a petition from sundry persons, sent to me under a blank cover, praying for the construction of a harbor at the mouth of the river St. Joseph, in the Territory of Michigan, which was referred to the Committee of Commerce; then, a petition from three hundred and sixty-six inhabitants of Weymouth, in my own Congressional district, praying for the abolition of slavery and the slave-trade in the District of Columbia.

Hammond, of South Carolina, interrupted me, and moved that the petition be not received. He had no right to interrupt me, and the Speaker said I was entitled to the floor.

Pinckney, of South Carolina, then entreated me to allow a motion to postpone the question of the receipt of the petition, so that the reception of other petitions might have free course this day; to which I consented, and for which he thanked me. The question of reception was then postponed, and I presented another petition to the same effect, of one hundred and fifty-eight ladies, citizens of the Commonwealth of Massachusetts; for, I said, I had not yet brought myself to doubt whether females were citizens.

The question upon the reception of this petition was also postponed.

A great number of other petitions with the same prayer were presented by many members, and all were postponed, on motions of Hammond that they should not be received, and by a new motion of Gideon Lee, of New York, that the motion not to receive be laid on the table.

The Speaker varied the manner of putting the question—sometimes, that it should not be, and sometimes, whether it should be, received, and finally put it upon the preliminary question, which he has decided is debatable, but that a motion to lay it on the table is in order, and that is not debatable.

McKennan, of Pennsylvania, on presenting an abolition petition, moved its reference to a select committee, and, upon the motion to lay that motion on the table, called for the yeas and nays. Wise moved a call of the House—which was refused. The yeas and nays for laying on the table were one hundred and seventy-seven to thirty-seven, and I was obliged to vote with the affirmatives, by the consent I had given that the petitions presented by me should be so disposed of.

19th. When the reports from select committees were called, I presented the report and bill from the Committee on the Smithson bequest message, and moved that the bill and report should be printed, and the bill twice read by its title, and referred to the committee of the whole on the state of the Union; which was done. Mr. Chapin moved that five thousand extra copies of the report should be printed for the use of the House. This resolution, by the rules of the House, was to lie over one day. Chapin asked for its consideration by unanimous consent now. Objection was made. Chapin asked the suspension of the rules, but the vote was not quite of two-thirds to sustain him. The order of the day was called, and Jarvis's resolution with its appendages was taken up.

Here occurs a gap of nearly three months in the diary.

April 13th. Finished reading Holland's Life of Martin Van Buren, a partisan electioneering work, written with much of that fraudulent democracy by the profession of which Thomas Jefferson rose to power in this country, and of which he set the first successful example. Van Buren's personal character bears, however, a stronger resemblance to that of Mr. Madison than to Jefferson's. These are both remarkable for their extreme caution in avoiding and averting personal collisions. Van Buren, like the Sosie of Molière's Amphitryon, is "l'ami de tout le monde." This is perhaps the great secret of his success in public life, and especially against the competitors with whom he is now struggling for the last step on the ladder of his ambition—Henry Clay and John C. Calhoun. They indeed are left upon the field for dead; and men of straw, Hugh L. White, William H. Harrison, and Daniel Webster, are thrust forward

in their places. Neither of these has a principle to lean upon. Van Buren's principle is the talisman of democracy, which, so long as this Union lasts, can never fail.

14th. My leg was so much better this morning that I obtained from Dr. Huntt permission to go for a short time to the Capitol and attend the House of Representatives. I went, accordingly, soon after noon, and found the House debating on an amendment made in the House to the bill for establishing the Wisconsin Territory, reducing the salary of the Governor, as fixed in the Senate's bill, two thousand five hundred dollars as Governor, and one thousand dollars as Superintendent of Indian Affairs. The amendment of the House had reduced the whole salary to two thousand five hundred dollars. The Senate disagreed to it. The motion to recede was debating in the House, and B. Hardin was speaking against receding. The yeas and nays were soon after called, and I voted for receding. But the House refused—one hundred and thirty-one to fifty-five. It was past one o'clock, and the order of the day, the General Appropriation bill, was taken up in committee of the whole on the Union, J. M. Patton in the chair. Wise, of Virginia, moved successively to strike out two appropriations for contingencies in the Navy Commissioner's Office and in the Pension Office of the War Department, each time making a speech, with heavy charges of wasteful and corrupt expenditures. In one of them he directly alluded to me, and related what I had said to him a few days since in a private conversation. It made a sort of necessity for me to answer him, which I did in a very few words, but sufficient to prove to myself my inability from weakness to address the House in any continuous discourse. Many of the members of all parties came and greeted me at my seat, and among them the Speaker, Polk.

May 7th. Found at half-past ten the House engaged in committee of the whole upon the amendments of the Senate to the bill of appropriations for the civil and diplomatic expenses of the Government. They were reported to the House and partly adopted, one or two disagreed to, after a nibbling debate upon an item for indexing and binding Gales and Seaton's collection of old public documents. The House then went into committee

of the whole, Elisha Whittlesey in the chair, upon a bill reported yesterday by Cambreleng, Chairman of the Committee of Ways and Means, appropriating one million of dollars for the defence of the Western frontier. The instructions to General Gaines, and the dispatches from him, together with a statement of what was said by the Secretary of State, Forsyth, in a conference with the Mexican Minister, Gorostiza, were now communicated to the House, and gave rise to a long and very warm debate, not so much against the bill as upon the deficiency of the Executive communications.

In this debate I spoke twice, not more than ten minutes each time.

The bill was reported to the House with an amendment moved by McKay, passed to a third reading, by yeas and nays —one hundred and forty-six to three; the opposition, about seventy-eight in number, not voting at all. The bill was then passed, without taking again the yeas and nays, and the House, about half-after six, adjourned. The excitement of the debate, and of my own speeches, short as they were, affected my lameness considerably, and gave me warning to retire from the political battle-field betimes. (Turpe senex miles.)

8th. I employed the leisure of the day in reflections upon the debate of yesterday and the condition of our public affairs, especially of our relations with Mexico; the prospect of more comprehensive and momentous discussion; and my own condition, so infirm, so helpless, so nearly hopeless. The last night was not to me a night of repose, nor of much refreshing sleep. I shall henceforth speak in the House of Representatives at the hazard of my life.

9th. I found at ten o'clock the House in session, and the Clerk was reading a resolution offered by Horace Everett, of Vermont, calling upon the President for copies of all instructions to the representative of the United States in Mexico since the 1st of January, 1835, relative to the boundaries between the two nations, and relative to the setting on foot military expeditions by citizens of the United States against the Mexican province of Texas, and relative to the military occupation, or contemplated occupation, under the authority of the

President, of any post or place within the province of Texas; and all correspondence and communications which have passed at Washington or at Mexico between the two Governments respecting the same, and all information in possession of the Executive respecting the same, and all orders or instructions issued to the military or other officers of the United States or the States relative to the defence of the Western frontier, and all correspondence between them and the Government respecting the same. The resolution was received, and lies over one day.

10th. In the House, the resolution offered yesterday by Horace Everett was adopted without opposition. I read an article published in the Globe this morning, stating that the President of the United States had declared that he had no recollection of having been consulted concerning the boundary in the Florida Treaty of 1819. I re-asserted the fact in the most explicit manner.

11th. At one the Fortification bill came up, as the order of the day, in committee of the whole on the Union—Abijah Mann in the chair. Townes, of Georgia, made a speech of two hours' Presidential electioneering, formally answering the speeches heretofore made by Bell, of Tennessee, and by Robertson, of Virginia, upon the *Navy* Appropriation bill; for it is becoming a common practice to make long speeches upon one bill in answer to long speeches upon another. Townes sent to the Clerk to read many extracts from speeches and letters of H. Clay and Hugh L. White to prove their inconsistency, and he replied with some point to Bell, who was not in the House (there were not more than sixty members in the House; the rest were at the races), and to Robertson, who was. In defence of Jackson's proscriptions from office, Townes charged me with having, when Secretary of State, dismissed a printer of the laws, who was in favor of General Jackson, and appointed in his place one friendly to me. I interrupted him, and denied the fact, adding that the only change of printer in Tennessee that I ever made was at the request of General Jackson (whether he recollects it or not I could not tell) and of his colleague, John H. Eaton. I further said that I had never removed any person from office for political opposition to me.

Townes finished soon after three, the committee rose, and the House adjourned.

12th. At the House, there were several minor measures which consumed the first hour of the sitting. Haynes moved a suspension of the rules, to take up the resolution from the Senate for adjourning the two Houses on the 23d of this month; but it was rejected—eighty to one hundred and four. Rice Garland, of Louisiana, made an explanation to contradict false reports of his speech in the House last Saturday on the Appropriation bill for the defence of the Western frontier. I made one also, after reporting from the Committee of Manufactures a bill to incorporate the Georgetown Manufacturing Company, which was referred to the committee of the whole House, made the order of the day to-morrow, and with the petition to be printed. The question to which committee the Land bill should be referred was then debated till one o'clock. George Chambers made a short speech, Sherrod Williams, as usual, a shallow one, and Bynum a fire-and-fury one, in the midst of which the hour of one came, and the order of the day—the Fortification bill in committee of the whole on the Union, Abijah Mann in the chair—was called. French, of Kentucky, commenced a heinously dull speech, and three-fourths of the members went to the race-ground. Part of them returned about four o'clock, and soon afterwards the House adjourned.

13th. On coming to the House, I found there was an article in the Globe, editorial charge of falsehood against me, with an array of documents from the Department of State to prove that General Jackson was not at Washington on the day of the signature of the Florida Treaty, and from this statement to infer the falsehood of my averment that General Jackson had been consulted upon the Florida Treaty before it was signed.

Immediately after the journal of the House was read, I asked permission to make another explanation. Objection was made, and Granger moved a suspension of the rules, to enable me to make the explanation; which was carried by an almost unanimous vote. I made the explanation accordingly; upon which Adam Huntsman, of Tennessee, asked permission to make a speech. There was objection also to this; but the rule was

again suspended, and he made his speech, which was a mixture of archness, buffoonery, and ignorance with spirit and good humor, as all his speeches are. His great annoyance was that I had charged the President with keeping the Globe to lie for him. I made no reply to Huntsman. But Bell, of Tennessee, came afterwards to my table, and said that what I had spoken of the Globe was not one particle too strong. I told Bell that I had had thoughts of referring Huntsman to him, as he spoke for the Tennessee delegation. He said he wished I had; that he would have sustained my statement. He had already made the same complaint in the House, and intended to repeat it. Cambreleng moved to take up the Fortification bill, but the House refused. Private bills were considered. Three times successively the House went into committee of the whole, and passed upon one hundred bills. I spoke very briefly upon two —that for John Randolph Clay and that for Relief Harris; both of which were reported to the House and passed to the third reading. There were less than one hundred members present three-fourths of the day. Adjourned about five o'clock. The majority of the House were at the race-ground.

14th. I went to the House this morning with the determination to take no part in the debates of this day, feeling the necessity of entire composure before I renew the debate upon the relations of the United States with Mexico. I showed the two resolutions which I propose to offer to Briggs, Reed, and Abbott Lawrence, of the Massachusetts delegation, and to Mr. Granger, of New York; to which neither of them objected. A message was received from the President, with voluminous documents, in answer to the resolution offered by H. Everett. The message only was read, and, with the documents, was referred to the Committee of Foreign Relations and ordered to be printed. I had a long conversation with Graham H. Chapin, and a short one with James J. McKay. In the evening I examined the American Almanac for the elements of the eclipse to take place to-morrow morning, and was disappointed to find that it would not be annular here, though it will be, and central, at Edinburgh, in Scotland. I calculated the eclipse at Cambridge in April, 1787.

15th. My time and attention and sentiments are becoming absorbed in the danger of a war with Mexico. I read a speech of a Colonel Wharton, one of the Texan Commissioners, at a great meeting at New York, and, for the second time, the address of S. F. Austin, another Texan Commissioner, to a very large meeting at Louisville—ladies and gentlemen.

16th. Sutherland moved for leave to suspend the rules that he might present the memorial from Philadelphia in favor of the Texans, and Vinton moved to amend for the reception of a similar memorial from Cincinnati. Not carried.

W. B. Shepard moved to suspend the rules to take up the amendment of the Senate to the amendments of the House of the bill to purchase the stock of the Dutch loan from the District cities. It was carried, and, after a sharp debate, the amendment of the Senate was adopted; and thus the bill was passed.

A bill from the Senate for carrying into execution the last treaty with Mexico, for running the boundary line, struck out a hot debate by Wise, Baylie Peyton, and John Calhoun against John Y. Mason, Bouldin, Vanderpoel, and Cushing, till five o'clock, when the committee rose and the House adjourned.

There was glorious news from Texas, transmitted in handbills—that Santa Anna had been defeated and taken by Houston, and shot, with all his officers.

17th. At the House, immediately after the reading of the journal, I asked the consent of the House to offer two resolutions, calling upon the President for copies of any overture made by his authority since the 3d of March, 1829, to the Government of Mexico for the acquisition of any territory of that republic by the United States, and any question of boundary between the two countries, and for copies and translations of any law, ordinance, or decree of the Mexican Government abolishing slavery within the territories of that republic. Objection was made; and, after several attempts to postpone my question, I insisted on its being taken, and the permission was refused, by yeas and nays—seventy-four to eighty-five.

18th. Immediately after the reading of the journal, H. L. Pinckney presented the report of the select committee to whom

all the abolition petitions were referred, and said that the report had the unanimous assent of the committee. He moved that five thousand copies of the report should be printed for the use of the House.

It was immediately attacked with extreme violence, and a fiery debate arose, which continued until one o'clock, and then, by a suspension of the rule, for another half-hour. Motion was made to print ten thousand and twenty thousand copies, and Waddy Thompson said that he would commit it to the flames or to the hangman. Ben Hardin, who was a member of the committee, declared his dissent to the main sentiment of the report, and protested against it.

At half-past one the order of the day was called, and in committee of the whole, Mann, of New York, in the chair, Forrester, of Tennessee, made his White electioneering speech of about one hour. Then came the bill for the defence of the Western frontier, amended by the Senate so as to turn a military levy into a ten thousand men addition to the army.

McKay objected to this amendment, and I made a warm speech against it, and was answered with much virulence by Lawler, of Alabama, and by Glascock, of Georgia. The previous question was called by Mann, of New York, who refused to withdraw the motion to allow me to reply to Lawler and Glascock. The previous question was carried, but the Senate's amendment was rejected—one hundred and two to one hundred and four. Then, after an abortive attempt to adjourn, Cambreleng presented a bill, appropriation of half a million of dollars for the suppression of the hostilities of the Creek Indians, which passed through all its stages with some skirmishing debate for information of the causes of the war. The House adjourned after six.

19th. Attended a meeting of the members of the Massachusetts delegation in the chamber of the Committee of Commerce, which had been requested by me to consider of the expediency of doing something to give effect to the resolutions of the Legislature of Massachusetts respecting the Northeastern boundary of the United States. Present, Mr. Webster, of the Senate, and Adams, Borden, Calhoun, Cushing, Grennell, Hoar, Jackson,

Lawrence, Lincoln, Phillips, and Read; absent, Davis, of the Senate, and Briggs, of the House, who was engaged upon another committee.

After some conversation, it was agreed that Mr. Webster should offer to the Senate a resolution calling upon the President for communication, either confidential or otherwise, of the present condition of the controversy with Great Britain respecting our Northeastern boundary, with all the correspondence relating thereto, and particularly the preliminary conditions exacted by the British Government for their consent to the resumption of the negotiation. Mr. Webster prepared such a resolution, which was agreed to; and he said he would show it to the Senators from Maine before offering it, and give notice to our delegation when the answer to the call shall be received.

In the House, the resolution of Caleb Cushing, for printing fifteen thousand extra copies of the documents concerning the bill for the defence of the Southwestern frontier, and the correspondence with the Mexican Government, came up. Elisha Whittlesey moved to reduce the number to five thousand, but at my request withdrew his motion. The resolution passed without opposition. Then the question upon the printing of five thousand extra copies of H. L. Pinckney's slavery report was discussed, and Bynum made one of his fiery speeches, which lasted, with an interruption from Pinckney, till noon—when the special order of the day, the bill for reorganizing the Post-Office Department, was debated till past six in the evening, when the House adjourned, after voting by two-thirds to take up the same bill to-morrow, at and after eleven o'clock.

20th. At the House, the first thing brought on after the reading of the journal was the report of the conferees on the disagreement between the two Houses on the amendments of the Senate to the bill from the House for the defence of the Southwestern frontier. The conferees of the House were Dixon H. Lewis, Ripley, Carr, Coles, and McKay. Lewis reported that the conferees of the two Houses had not been able to agree, and he was instructed by the committee of the House to move that the House insist upon their disagreement to the amendment

of the Senate; but he made a speech on the opposite side of the question, and said he hoped that some gentleman would move that the House should recede.

Glascock accordingly made the motion, and a hot though short debate followed. The hour of eleven came, and the order of the day was called; but the rules were suspended, by yeas and nays—one hundred and twenty-six to thirty-seven—to continue the discussion; it was continued, and the previous question moved, seconded, and carried—one hundred and six to seventy-six. The motion to recede was rejected by one hundred and eighty-three to sixty-seven. Then the vote to insist was carried without division. Then Lewis moved to ask a second conference of the Senate, to which I and others objected, on the ground that if a conference should be held, it was for the Senate to ask it.

24th. At the House, Judge Jeremiah Smith asked me specially to make a speech; which I promised him to do, if the House would permit me. Immediately after the reading of the journal I asked the unanimous consent of the House to offer the two resolutions to call upon the President for information concerning our affairs with Mexico, which I moved last week, and I asked the permission of the House to assign my reasons; which was rejected.

I then moved the suspension of the rules to enable me to offer the resolutions, and asked for the yeas and nays.

Huntsman said he would vote for my introducing the first resolution, for he knew that the President was perfectly willing to communicate the information.

I then modified my motion for leave to offer the first resolution.

Waddy Thompson said he would vote for my resolution with an amendment asking the opinion of the President as to the acknowledgment of the independence of Texas.

The vote for suspending the rule was eighty-two to sixty-eight; a majority, but not two-thirds.

The printing of Pinckney's slavery report and Robertson's motion to recommit the report, with instructions, followed, and Robertson continued his argument till eleven o'clock, when the

Fortification bill was resumed in the committee of the whole on the Union, Abijah Mann in the chair. Underwood finished his speech, then Chilton Allen offered an amendment to the amendment presented by Cambreleng. I objected to this, as not in order; and so it was declared by the Chairman. Mercer then withdrew his amendment, and Allen offered his amendment, which was for a general reduction of the salaries of executive officers and members of Congress. Then a squabble between Jenifer and Thomas, and battling till one o'clock in the morning, when the Speaker adjourned the House till ten o'clock Wednesday morning.

25th. At the House, the motion of Robertson, to recommit Pinckney's slavery report, with instructions to report a resolution declaring that Congress has no constitutional authority to abolish slavery in the District of Columbia, as an amendment to the motion for printing an extra number of the report, was first considered. Robertson finished his speech, which was vehement; and he read the letter from Mr. Van Buren on the subject of the power of Congress to abolish slavery in the District, and he charged him with evading the question.

I asked that so much of the letter as he had referred to should be read; and it was. Immediately after the conclusion of Robertson's speech I addressed the Speaker, but he gave the floor to Owens, of Georgia, one of the signing members of the committee, who moved the previous question, and refused to withdraw it. It was seconded and carried, by yeas and nays—one hundred and ten to eighty-nine. I asked what the main question would be. The Speaker decided that it would be the adoption of the resolutions of the committee, which have not been in the slightest degree discussed.

I appealed from the decision, which the House confirmed. The question on the first resolution was taken—one hundred and sixty-eight to nine. Glascock asked to be excused from voting. I required that the reasons for excusing him should be entered on the journal. The Speaker was doubtful. The hour of one came, and the order of the day was called—a joint resolution from the Senate, authorizing the President to cause rations to be furnished to suffering fugitives from Indian hostili-

ties in Alabama and Georgia. Committee of the whole on the Union, and a debate of five hours, in which I made a speech of about an hour, wherein I opened the whole subject of the Mexican, Indian, negro, and English war.

Answered by Lawless, Haynes, Waddy Thompson, and Wise.

The resolution was carried through all its stages and passed, and the House adjourned between seven and eight o'clock, and I came home much exhausted, and soon sought my bed.

26th. At the House, the first subject was the question upon Glascock's assigning the reasons for his asking to be excused from voting on the slavery report resolutions.

The Speaker announced that he had recurred to the only precedent on the journals of the House, which was in my own case, and that the House then determined to proceed in the call of yeas and nays, and announce the decision, without waiting first to decide any question on the refusal of the member to vote; but that such question would remain to be afterwards decided by the House.

I rose, and began to prove that the case was totally different from that of 1832, which could not, therefore, apply as a precedent; but I was called with great vociferation to order, and not permitted to proceed.

The Speaker went on, and announced the result of the vote on the first resolution.

On the call of yeas and nays upon the second resolution, I asked to be excused from voting, and the call was continued, passing me by. Others declined voting, and they were also passed by.

On my name being called on the third resolution, I answered, "I hold the resolution to be a direct violation of the Constitution of the United States, of the rules of this House, and of the rights of my constituents."

They passed on.

Granger asked to be excused from voting on the second resolution, because the resolution is different from that which the committee was instructed to report. He was passed over, and not allowed to offer his reasons.

A scene of great disorder ensued. Glascock claimed the floor to assign his reasons. The Speaker gave him the floor, and then took it away from him by arbitrary, absurd, and inconsistent decisions, all of which were sustained by the House by large majorities by yeas and nays, as were the three resolutions reported by the committee.

27th. At the House this morning, upon the reading of the journal, I saw that the proceedings of yesterday were not truly stated, and moved amendments, only the first of which was adopted. The journal stated the decision against Glascock's tendered reasons for asking to be excused from voting being received before the decision of the House's resolution being announced, without stating that Glascock had tendered his reasons, so that the journal gave the Speaker's decision without showing what the subject was upon which the decision was made. After long discussion, all my other amendments were rejected, some with, and some without, taking the yeas and nays, and the decisions of the Speaker were all sustained. Granger, Glascock, Robertson, and Wise all moved amendments, which were also rejected. Dixon H. Lewis, however, obtained an entry upon the journal of his reasons for asking to be excused.

This debate consumed four hours before the journal was read through.

28th. After the reading of the journal, Hamer, of Ohio, asked permission to present a memorial and resolutions from a meeting at Toledo, which, he said, he did not wish to be read, but merely to be laid upon the table.

I asked that they should be read, and it was a bitter complaint that the memorialists were oppressed by the conflicting authorities of two State Governments at once. I asked if the member from Ohio would state whether the memorial and resolutions were from the citizens of Ohio or of Michigan. He said that the memorialists, and he, considered them as citizens of Ohio, but that I, and the people of Michigan, considered them as citizens of Michigan.

The Speaker then said that he had received a memorial and the proceedings of a meeting in the county of Monroe upon

the subject of the boundary of Ohio and Michigan, which he had been requested to present to the House.

I asked that the resolutions and memorial should be read; which the Speaker, with evident signs of reluctance, ordered. They were ardent remonstrances against the bill for the admission of Michigan, now before the House.

There was a motion immediately made to lay them on the table.

I moved that they should, together with the bills from the Senate fixing the northern boundary of Ohio and for admitting the State of Michigan into the Union, be referred to a select committee.

The Speaker referred to the rule that petitions should not be debated on the day when they are presented, and said these motions must lie over one day.

29th.

"Just in the last distressing hour
The Lord displays delivering power.
The mount of danger is the place
Where we shall see surprising grace."

WATTS, Book 1, Hymn 129.

After dinner, I attended at the Presbyterian Church, and heard Mr. Farrar, a young clergyman from Albany. His sermon was from 2 Timothy ii. 12: "If we suffer, we shall also reign with Him." There was nothing remarkable in the discourse, but the lines at the top of this page are the closing verse of one of the hymns which he gave out to be sung. There is scarcely a Sunday passes over my head but, in attendance upon divine service, I hear something of which a pointed application to my own situation and circumstances occurs to my thoughts. It is often consolation, support, encouragement —sometimes warning and admonition, sometimes keen and trying remembrance of deep distress. The lines above cited are of the cheering kind. I was occupied all the leisure of the day and evening in writing out for publication my speech made last Wednesday in the House of Representatives—one of the most hazardous that I ever made, and the reception of which, even by the people of my own district and State, is altogether uncertain.

30th. At the House, it was petition day; but H. Johnson asked permission to present several petitions, to which I objected, and gave notice that I should object to every petition until the House should carry into effect the rule by receiving petitions by the call of States.

There was then a motion to suspend the rules to consider the resolution from the Senate for adjourning Congress on the 23d of this month.

I enquired whether the House could consider a resolution to adjourn upon a day that is already past. Heister offered to amend his motion so as to make it an original proposition to consider the time of adjournment; but the House refused to suspend the appeal.

Another motion to suspend the rules was made, to consider a motion reported by the Committee of Ways and Means to fix a day for debating the bill regulating the deposit banks.

Upon the call of yeas and nays on this question, John M. Patton asked to be excused from voting, and his name was passed over; and, after the roll was called through, Patton asked the Speaker if he adhered to his former decision of announcing the result of the vote before taking the sense of the House whether he should be excused or not. The Speaker said he should; upon which Patton appealed from the decision, and a debate of six hours ensued. About three o'clock a motion to lay on the table the appeal was carried by a vote of ninety-six to ninety-one; but on that question Jenifer asked to be excused, and, the Speaker having passed him over, the debate was renewed. I was the last speaker against the decision, which was again affirmed—one hundred and eight to sixty-one; and before five the House adjourned.

June 1st. Mr. Gales sent this morning for the manuscript of my speech last week on the resolution for granting rations to the fugitives from Indian hostilities in Alabama and Georgia, and I sent it to him for publication in the Intelligencer tomorrow, having just then finished writing it out.

2d. My speech on the distribution of rations to the fugitives from Indian hostilities in Alabama and Georgia was published in the National Intelligencer of this morning, and a subscription

paper was circulated in the House for printing it in a pamphlet, for which Gales told me there were twenty-five hundred copies ordered. Several members of the House of both parties spoke of it to me, some with strong dissent.

The bill for establishing new post-routes was read and passed. While it was reading, I went into the Senate, and agreed with Mr. Clay that the committees of conference on the Spanish Convention bill shall meet in a committee-room of the Senate at noon to-morrow.

3d. I was detained at home this morning, so that it was close upon eleven o'clock when I reached the House. They were engaged upon a bill just received from the Senate, changing the time of the annual meeting of Congress to the first Monday of November, and providing that the first session of each Congress shall close on the first Monday of May. After some debate, the previous question was carried on the passage of the bill to a third reading, for which I voted; and I then moved that the bill should be referred to a select committee, with instructions to strike out that part of it which relates to the time of closing the sessions in May.

This introduced a debate, during which I went with the conferees of the House to meet the conferees of the Senate upon the disagreeing votes of the two Houses on the bill for carrying into execution the Convention with Spain. We met in the committee-room of the Judiciary Committee of the Senate. The conferees of the Senate were H. Clay, Alexander Porter, and William R. King. Those of the House were John Y. Mason, Andrew T. Judson, John Cramer, and Benjamin Hardin, with myself as Chairman. After a short conversation the two committees agreed that there should be one Commissioner instead of three, but not the Attorney-General. One or two other slight modifications of the bill were also agreed upon. The papers being with the Senate, Mr. Clay promised to draw up the report according to the agreement, and to communicate it to me. In a quarter of an hour we were agreed, and Hardin came in just as we were separating.

On returning to the House, I found the joint resolution fixing the annual meeting of Congress on the first Monday in Novem-

ber had passed as it came from the Senate—by the previous question.

4th. Mr. Clay came into the House with the report of the committees of conference on the bill for carrying into execution the Convention with Spain, conformably to the agreement between the two committees yesterday. They were both signed by him, and I signed them. He took one of them back with him and left one with me. Soon after, the Secretary of the Senate came in with the bill passed by the Senate, conformably to the agreement. I then presented to the House the report from the committee of conference, which was read. I moved that the bill as passed in the Senate should be immediately considered, and it passed by unanimous consent.

8th. At the House, the bills for the fixing the northern boundary of Ohio, and the bills for the admission of Michigan and Arkansas into the Union as States. The first bill was that for fixing the northern boundary of the State of Ohio. Thomas, from the Committee on the Judiciary, moved to lay the bill on the table, upon the ground that by the bill for the admission of Michigan into the Union the same provision was inserted, whereby the special bill to fix the northern boundary of Ohio became superfluous. This gave rise to a sharp debate, in which the Ohio members, and especially Vinton, took a very heated part. Boon, of Indiana, sprung the previous question before the bill had even been read. The vote for seconding the previous question was sixty-nine to one hundred and three. Then further hot debate, till the question upon laying the bill upon the table was carried—one hundred and three to one hundred and three, and decided by the casting vote of the Speaker—to the great annoyance of the Ohio members.

The next bill in order was the Michigan bill, which Wise agreed to postpone till next Monday, to take up first the Arkansas bill, to make it sure that the slave State shall first come in. Another fiery debate. Wise expressed a fear that a restriction upon slavery would be proposed, and, if adopted by the House, he said he would propose a section to introduce slavery into Michigan. Mann and Vanderpoel gave a sort of

promise that no proposition concerning slavery should be made in the debate on the Arkansas bill.

I said if no other member would offer such a proposal I would.

A question then arose whether both bills *must* be referred to the committee of the whole or not, as indirectly making a charge upon the people. The Speaker, after much hesitation, decided, upon a precedent of 1832, that they *must* be referred to the committee of the whole. The House immediately went into committee on the Michigan bill.

9th. At the House, sundry reports from committees were received, and one or two bills were passed. Hardin moved to take up the bill fixing the northern boundary of Ohio, which was yesterday laid on the table.

The Speaker decided that the unfinished business of yesterday was the bill for fixing the boundary of Ohio and admitting Michigan as a State in the Union, and that the order of business by the rule of the House could be changed only by a vote of two-thirds.

Storer appealed from this decision, and argued that the unfinished business of the House was the three bills, which had been all made the special order of the day yesterday, and that although the House laid one of the bills on the table, and referred the two others to the committee of the whole on the Union, yet what was done in committee was not unfinished business of the House, and a mere majority might this day take up the bill laid on the table yesterday, instead of that upon which the committee debated yesterday.

Storer finally withdrew his appeal, and the House went again into committee of the whole on the Union, Speight in the chair, on the bill fixing the northern boundary of Ohio, and for the admission of Michigan into the Union.

Everett read a speech containing some few ideas of his own. He was followed by Howard, and he by Love, of New York, who offered an amendment which he intended to offer.

I then spoke upon the amendment offered by Vinton, and was immediately followed by Corwin and Whittlesey (Bond had spoken before); then Pearce on the other side, and Vinton in

reply. The debate continued till about midnight—all amendments were inflexibly rejected. The bill was then *laid aside*, and the bill for the admission of Arkansas was taken up; some trivial amendments were offered and rejected.

10th. About one o'clock in the morning, twice successively the committee found itself without a quorum. The first time, after sending for all the members in and about the Capitol, a bare quorum was restored, and the Speaker left the chair and Speight resumed it, without waiting for a vote of the House. The second time, they could not make a quorum, and were obliged to resort to a call of the House, which absorbed nearly four hours in its various stages, till the absentees were brought in, in custody of the Sergeant-at-Arms, and required to offer their excuses for absence. The first was C. F. Mercer, one of the oldest and most laborious members of the House, whose excuses were an indignant rebuke of the House itself; Joseph Johnson, of Virginia, was the second, and Hawes, of Kentucky, the third. On being asked by the Speaker what excuse he had to offer, he said he did not know that he had any good excuse to give. The House voted to excuse him, and then to excuse all the rest. There were eighty-one absentees returned without excuse, and from twenty to thirty brought in under custody. Then the House resumed business, and the Speaker again left the chair without motion or vote of the House, and Speight resumed it.

I then, at five in the morning, offered my amendment to the third section of the bill for the admission of Arkansas. It was very short, and I said very little in presenting it, but it kindled a fiery debate of three hours, in which Wise, Cushing, Briggs, Hoar, Hard, of New York, took a part, and Dromgoole, drunk with whiskey, and Bynum, drunk with slavery, used insulting language, which I demanded should be taken down by the Clerk, but which Speight, the Chairman, would not notice.

My amendment was rejected by tellers—thirty-two to ninety.

About eight o'clock Slade came in, and offered a much stronger amendment, which was rejected. Underwood offered an amendment to the Michigan bill, which was rejected. Wise spoke till ten o'clock, when Chambers, of Kentucky, made a point of order, whether the Speaker was not bound to take the

chair for this day. He would not. Wise spoke another hour. Then the committee rose and reported the two bills, and the House adjourned at eleven o'clock.

11th. At the House, while the journal of Thursday was reading, the reporter for the Telegraph, named Wheeler, assailed, with an iron, sharp-pointed cane, the reporter for the Southern Patriot, and struck at him, as he sat in his seat, three times. Wheeler stood at the entrance of the seat, and stepped up as he gave the strokes of the cane. Codd, the Southern Patriot reporter, was cooped up in his seat, from which he arose, and held up his arm to guard his head. The Speaker instantly ordered the Sergeant-at-Arms to turn Wheeler out of the hall and to take him into custody, and a confused and desultory debate arose, and a resolution was adopted, directing that the two persons (without naming them) should be kept in custody of the Sergeant-at-Arms till further order. The debate was continued, and sundry proposals were made, till a committee of five were appointed to consider, and report to the House on the case. The remainder of the journal was then read, and I moved an amendment, which, after a paltering and equivocating debate, was rejected by yeas and nays—thirty-two to one hundred and thirty-three. The amendment was a rectification of a false statement, that Hawes had been yesterday morning excused for reasons given by him, when in fact he declared that he had no good reason to give.

13th. The Act fixing the northern boundary of the State of Ohio, and admitting conditionally the State of Michigan into the Union. Vinton moved his amendment, which had been rejected in committee of the whole, and, as I saw the previous question was coming, I sent my proposed amendment to the Speaker, and offered it as an amendment to Vinton's amendment.

The Speaker said it was not in order as an amendment to the amendment, but that I might offer it as an amendment to the bill.

Vinton merely asked the yeas and nays on his amendment, which was rejected. I then offered my amendment, and, while I was offering it, a member rose to move the previous question;

but I had the floor, and supported my amendment in a speech of three hours, interrupted occasionally by Thomas Howard, and Hamer, of Ohio. The instant I sat down, Cushman, of New Hampshire, moved the previous question; which was carried, and the bill passed to the third reading, by yeas and nays.

Then followed the bill for the admission of Arkansas—upon which I offered the amendment I had proposed in committee of the whole. It was read, and I remained on my feet to address the House in support of it. Williams, of Kentucky, started up, and moved the previous question. I claimed the floor, and the Speaker gave it to me. Williams insisted on his right to it, and the Speaker gave it to him. I appealed from the decision, and the House sustained the Speaker, by a vote of ninety-seven to eighty-seven. The previous question was carried. The bill passed to a third reading by one hundred and forty-seven to fifty-two. Both bills were passed without amendment, by the previous question. Adjourned about six.

14th. The House went into committee of the whole on the Union on a bill supplementary to the Act admitting Arkansas into the Union, the bill supplementary to the Michigan Act of admission, and a bill establishing a judicial district in Michigan, Franklin Pierce in the chair. The bill supplementary to the admission of Arkansas was first taken up. Vinton moved an amendment, to *reject* the eighth proposition of the Convention of Arkansas, which formed their constitution; which was debated till between three and four o'clock. Sevier, the delegate from Arkansas, after most pertinaciously struggling against it, finally acceded to it, and it was adopted. A similar amendment was adopted to the Michigan Admission Supplementary bill, and they, together with the bill for extending the laws of the United States over the State of Michigan, passed to the third reading, and, about five o'clock, the House adjourned.

15th. I obtained a copy of the original draft of the journal of the day before yesterday, with the erasures and alterations in it, and, after the reading this morning of the journal of yesterday, I moved that the journal of the day before be made to read as it had already been drawn up by the Assistant Clerk. This occasioned a debate of an hour, which was first abridged

by a motion to lay my motion for amendment on the table, but this was immediately withdrawn, and the previous question was substituted for it and carried, and my amendment was rejected, by yeas and nays.

Ingersoll then moved the suspension of the rules, to take up a resolution for supplying the new members of the present Congress with certain books which have been received by the members of former Congresses. The rules were suspended by a vote of more than two-thirds, and then the resolution was driven through by the previous question; and after it was passed, they began to think that some of the books were out of print, and could not be distributed without the expense of a reprint; exceptions were moved. I moved a reconsideration of the vote that the question should be now put. The hour for which the rules were suspended passed away; an attempt to suspend them again failed for want of the two-thirds. The Supplementary Michigan and Arkansas bills were passed, and the bill for establishing a judicial district in Michigan was at the third reading, when it was discovered that the salary in the engrossed bill remained at two thousand dollars, though by an amendment yesterday adopted it had been reduced to fifteen hundred—of which amendment there was no notice on the journal. I suggested that while they were making this amendment they might consider whether another might not be expedient—a proviso that the bill should not take effect until Michigan should be admitted into the Union. Bond said he had thought of that, and moved the proviso; which was adopted. The Ohio Boundary bill was then forced through, Anthony, and Miller, and Wardwell declaring against it. Underwood answered *one* of my arguments, to which Briggs and I replied. Previous question, and the bill passed.

16th. Mr. Judson, Chairman of the select committee on the assault by H. Wheeler on the person of Robert Codd last Saturday, called up their report for consideration. The committee reported three resolutions: 1. That Wheeler, by the assault upon Codd in the House, while the House was in session, had been guilty of a contempt and violation of the privileges of the House. 2. That he should be excluded from the reporters'

seat, and any other place within the hall, hereafter. 3. That he should be imprisoned in custody of the Sergeant-at-Arms for the remainder of the session. The House were beginning to discuss the resolutions, when, at the motion of Heister, the Sergeant-at-Arms was ordered to bring Wheeler to the bar of the House; which he did. After several proposals of amendments were rejected, the first resolution of the committee was adopted; the second, with a qualification, till the end of the present session; and instead of the third, a resolution to discharge him from custody—which was forthwith done. Abijah Mann was alone to insist upon his imprisonment for the remainder of the session. But his argument was hooted out of the House.

19th. My speech on the rations comes back with echoes of thundering vituperation from the South and West, and with one universal shout of applause from the North and East. This is a cause upon which I am entering at the last stage of life, and with the certainty that I cannot advance in it far; my career must close, leaving the cause at the threshold. To open the way for others is all that I can do. The cause is good and great.

25th. The joint resolution from the Senate concerning the Smithsonian bequest had been referred to this committee, and made part of the order this morning, at the motion of F. Thomas. When it was taken up, I moved the bill from our select committee as an amendment; and it was adopted, reported, passed to a third reading, and passed without opposition. Howard asked the reason for the large bond required of the agent by the bill; which I gave him, and he acquiesced. Patton showed signs of opposition, but made none. Hamer, of Ohio, asked for the yeas and nays, to record his name against the bill; but the House refused them, and passed the bill, with less than ten negative votes. I went into the Senate, and explained to B. W. Leigh, the Chairman of the Senatorial committee, the reason of the change from a joint resolution to a bill, and for requiring a bond of the agent. He approved the change to the bill, but expressed doubts as to the expediency of requiring the bond.

27th. Bell, of Tennessee, presented a memorial from Nashville for the acknowledgment of the independence of Texas, and

moved a suspension of the rules to offer a resolution for an appropriation for a Minister to the republic of Texas. Mann, of New York, moved once and twice to lay the resolution and memorial on the table; carried, by yeas and nays—one hundred and forty-two to fifty-four.

Recess at half-past two. Sitting resumed; bill of appropriations for certain Indian treaties. I caused the memorial of the Cherokee chiefs against the treaty to be read; wincing of Cambreleng and Howard; warm debate. Fury of the Georgians, Owens and Haynes. Attempts to suppress the reading. Wise moves and carries a call upon the President for the documents. Mann moves to lay on the table; lost—ninety-nine to thirty-seven; at least sixty did not answer. Committee rose, and reported the other bills at my motion.

30th. Met in the committee-room of the joint library committee the joint committee for furnishing the rotunda with four historical paintings. The committee of the Senate consists of Messrs. Preston, of South Carolina, Wall, of New Jersey, and Wright, of New York. Mr. Preston only, of the Senate committee, was present. The committee of the House are Jarvis, Adams, McKeon, Henry Johnson, and Howard, who was absent; the rest all present. There was some conversation, and the names of Allston, Sully, Vanderlyn, Rembrandt Peale, Inman, Chapman, and Morse were mentioned and discussed with reference to the selection of an artist. I moved that Allston should at once be engaged for two of the pictures, which was approved by all present except McKeon.

July 1st. At the Capitol, I met the joint committee upon the paintings. Present, Preston and Wall, of the Senate, Jarvis, Adams, H. Johnson, and McKeon, of the House; absent, Wright, of the Senate, and Howard, of the House. It was agreed, Wall and McKeon dissenting, that Allston should be engaged for two of the four pictures, and that Vanderlyn, Weir, Inman, and Chapman should be written to by the two Chairmen for sketches or designs for large pictures, upon which the committee may afterwards select.

In the House, after sundry commonplace transactions, Dixon H. Lewis presented a memorial from numerous inhabitants of

parts of Alabama calling for a legislative investigation of land-jobbing frauds, which they allege to be the cause of the Indian war with which they are desolated. It gave rise to a warm and sharp debate. Lewis first proposed to refer the memorial to the President. Wise moved as an amendment reference to a select committee, then to the Committee on Indian Affairs. Ripley moved reference to the President, which I strenuously opposed, and had a keen dialogue with Mann, of New York, who said that all legislative investigations were humbugs. I spoke till the recess. In the evening, after much manœuvring, Ripley's amendment, referring the whole subject, was carried by a vote of ninety-five to ninety-one. Wise and Peyton made long and very teasing speeches.

2d. The evening was occupied much as usual on the last night of a session. A multitude of bills were passed as fast as they could be muttered over by the clerks. The Senate bills were hurried through the committee of the whole, engrossment, and passage, with extreme impatience of the House at any proposal of amendment. The Treasury Building bill, the re-organization of the Land Office and Patent Office, and several other bills, which it had been impossible to get up separately, were now crowded down as amendments to a supplementary General Appropriation bill. I made a question upon a manifestly erroneous decision of John Y. Mason, as Chairman of the committee of the whole, but was voted down unanimously.

The House continued in session till forty minutes past four of Sunday morning. About two o'clock, Sutherland being Chairman of the committee of the whole on the state of the Union, and a bill to increase the number of the Judges of the Supreme Court of the United States forced into committee; upon two successive counts by tellers there was found no quorum. H. Everett moved that the committee should rise and report the fact to the House, according to parliamentary rule. But Sutherland persisted in attempting to count the members present; upon which Sherrod Williams, of Kentucky, said he called the Chairman to order. Sutherland ordered him to his seat; which he refused, and ordered the Chairman to take his seat. Upon this loud to deafening cries of order rang through the hall, and

Williams, in fury, howled defiance to the Chairman and to the House. Sutherland immediately sent for the Speaker, who took the chair, and Sutherland reported the fact that Williams, upon being called to order by him, had set him at defiance, upon which he had of course left the chair. Polk, the Speaker, whimpered about the novelty, the delicacy, the difficulty of the case, and asked Sutherland to resume the chair; which he peremptorily refused unless Williams should apologize. After much negotiation with Williams to get an explanation from him, he persisting in his offence, Pearce, of Maryland, offered a resolution of direct censure upon Williams, which passed by a vote almost unanimous. Sutherland then resumed the chair; several bills passed in committee and through the House, which, at forty minutes past four, adjourned till eight o'clock to-morrow morning.

4th. Independence day. John Y. Mason, from the Committee of Foreign Relations, made a report on the affairs of Texas, concluding with two resolutions like those of the Senate.

I moved to lay them on the table, stating that I had many objections against them, which there was now no time for me to detail.

The House refused to lay the resolutions on the table.

Baylie Peyton moved the previous question upon the resolutions, and it was carried. I asked a division, and the question was put upon each resolution separately. They were carried by votes of one hundred and thirty-six to twenty and twenty-two; Cushing voting for them. The vote of censure upon Sherrod Williams was reconsidered and rejected, upon his making a paltering explanation. Sutherland, however, declared himself satisfied. Soon after two o'clock the Speaker adjourned the House to the first Monday in December.

PHILADELPHIA, 9th.—Atlee, Edwin B.; Barton, Isaac; Semple, Matthew; Buffum, Arnold. The four persons named came this morning as committees—1. Of the Pennsylvania Society for Promoting the Abolition of Slavery; 2. Of the Philadelphia Anti-Slavery Society, with votes of thanks to me and to the other members of Congress who, at the late session of Congress,

opposed the influence of the slavery predominant party in that body.

I desired them to return my thanks to the respective societies for the honor they had done me by these resolutions, and to assure them of the grateful sentiments with which I received them. One of the resolutions contained also an invitation of attendance at a public meeting—which I declined; and I gave them a full and candid exposition of my own principles and views with regard to the institution of domestic slavery, differing from theirs under a sense of the compact and compromise in the Constitution of the United States. I declined attendance at any public meeting of the societies, and said I believed the cause itself would be more benefited by such service as I could render to it in the discharge of my duty in Congress than by giving notoriety to any action on my part in support of the societies or in connection with them. They acquiesced in these determinations, and declared themselves well satisfied with the result of this interview.

11th. With praise and prayer to God, and a solemn sense of my earthly condition, and hopes of a better world, I enter upon the seventieth year of my pilgrimage. Benjamin Lundy came this morning, and, in a conversation of about two hours, made me acquainted with his principles, prospects, and purposes relating to slavery. He was heretofore the editor of the Genius of Universal Emancipation, and has now the intention of commencing the publication of a newspaper devoted, like that, to the extinguishment of slavery—a cause which, within the last two or three years, has fallen into great discouragement. He solicited assistance from me for the matter of his proposed publication, but I thought best not to give him any expectation of it.

After dinner, Mr. William B. Reed came in, but I had no time to converse with him. Benjamin Lundy came at six, and I walked with him to the house of his friend James Mott, No. 136 North Ninth Street, where there was a large tea and evening party of men and women—all of the Society of Friends. I had free conversation with them till between ten and eleven o'clock, upon slavery, the abolition of slavery, and other topics;

of all which the only exceptionable part was the undue proportion of talking assumed by me, and the indiscretion and vanity in which I indulged myself. Lucretia Mott, the mistress of the house, wife of James Mott, is a native of the island of Nantucket, and had heard of my visit there last September. She is sensible and lively, and an abolitionist of the most intrepid school. Benjamin Lundy and another friend came home with me to Mr. Biddle's, and Lundy came in, and conversed with me nearly another hour.

12th. Mr. Biddle walked with me to the Chestnut Street wharf, where I embarked in the steamer New Philadelphia, on which there were from three to four hundred passengers, with not one of whom I was personally acquainted. We found there Benjamin Lundy, of whom, and of my friend Biddle, I soon took leave.

QUINCY, 14th.—I received on my arrival last evening a letter of notification from President Quincy that there would be to-morrow a meeting of the committee of the Overseers of the University for the examination of the library; and this morning I received a letter from Samuel T. Armstrong, Mayor of Boston, expressing a wish to see and consult with me concerning an oration to be delivered before the municipal government of the city in honor of James Madison. I answered Mr. Armstrong that I shall be happy to see him at any time, according to his own convenience, after to-morrow, when I should be at Cambridge.

15th. At seven this morning I left home in a hired carryall, with one horse, and Wilson as driver. Went through Roxbury to Cambridge. At nine o'clock the committee for the examination of the library met in the hall where it is kept. My class-mate, Dr. Thaddeus Mason Harris, was the Chairman of the committee, and told me this was the forty-sixth year of his attendance upon this service. The committee consists of twenty persons, not all necessarily members of the Board of Overseers, by whom they are chosen. There were present Dr. Harris, Dr. Thomas Gray, Mr. W. Jenks, Dr. F. Parkman, D. Sharp, S. K. Lothrop, S. P. P. Fay, Asahel Stearns, and Mr. Nathan Mitchell, Rev. W. Newell, J. A. Albro, and several others, un-

known to me. I examined personally with Mr. Sibley three of the alcoves and nearly the whole of the philosophical apparatus shown us by Professor Farrar. The Chairman of the committee was authorized to prepare a report to the Board of Overseers at the next winter session of the Legislature, and to incorporate therein the report received from the librarian, Harris, the son of my old class-mate. A sub-committee of three was appointed —Dr. Jenks, Dr. Parkman, and myself—of which I was requested to act as Chairman, to report upon the deficiencies of the library. At one o'clock we dined in the dining-hall of the Corporation, after a slight review of the library of the law-school, where we saw Mr. Simon Greenleaf, the Royall Professor of Law. After this I went with President Quincy to his house, and saw Mrs. Quincy and her daughter, Elizabeth Susan Quincy. She read to me two letters which she had received from Miss Edgeworth, in one of which my father was mentioned in a manner which deeply affected me. Miss Quincy had also a copy of my letter to the Freshman Baker, with half the paraphrase of the Ode to Aristius Fuscus. Returning from Cambridge, I came through Boston, and called upon the Mayor, Mr. Armstrong. He asked my opinion with regard to an oration in honor of Mr. Madison, and whether I would undertake it. Of the expediency, I said, the city government must themselves judge; but if they thought proper to call upon me, I would readily undertake it. He said he would propose it to the city government next week, and would see me again concerning it.

22d. This afternoon Aldermen Greele and Hunting, and the members of the Common Council of the city of Boston, came out as a committee and invited me, in the name of the city government, to deliver before them an eulogy upon the life and character of the late James Madison. Mr. Greele delivered to me a letter of introduction from the Mayor, Samuel T. Armstrong. I accepted this invitation with an aching heart, under a deep feeling of my incompetency to do the subject justice, and a consciousness of the hours of anguish which open before me till the work shall have been performed. The day is hereafter to be fixed—the last week in August or first in September. I am destitute of almost all the indispensable materials.

QUINCY, *August* 8th.—Mr. Edward Everett, now Governor of the Commonwealth, and Mrs. Everett, paid us a morning visit; and he gave me a volume of his orations and speeches recently published. They are among the best ever delivered in this country, and, I think, will stand the test of time. The custom of delivering orations on public occasions was introduced into this country by the Boston massacre of 5th March, 1770, of which there were thirteen delivered successively, till 1783, in Boston town-meeting. The 4th of July was then substituted for the yearly town oration, and these have been continued till the present time. Other towns and cities have followed the example, and other occasions have been taken for the delivery of similar discourses, till they have multiplied so that they now outnumber the days of the year. Of the thousands and tens of thousands of these orations, which teem in every part of this country, there are, perhaps, not one hundred that will be remembered "alteri seculo;" and of them, at least one-half have been, or will be, furnished by Edward Everett. He has largely contributed to raise the standard of this class of compositions, and his eloquence has been the basement story of his political fortune—as yet, one of the most brilliant ever made in this Union.

29th. Mr. Greenleaf brought me a message from Mr. Armstrong, the Mayor, requesting me to fix a day for the delivery of the eulogy on Mr. Madison. This is rather embarrassing, as I do not see the end of my work, and have yet much to write, and more to revise. I have come now to Mr. Madison's course of conduct relating to the Alien and Sedition Acts, a subject of extreme difficulty to manage, inasmuch as it forms, in the opinion of his party friends, perhaps the greatest of his merits and services, while I myself believe him to have been in error throughout the whole of those transactions. To refresh my memory on these subjects, and to retrace the history of those controversies more accurately, I read over the portion of Jefferson's correspondence during that period, published by his grandson. It shows his craft and duplicity in very glaring colors. I incline to the opinion that he was not altogether conscious of his own insincerity, and deceived himself as well

as others. His success through a long life, and especially from his entrance upon the office of Secretary of State under Washington until he reached the Presidential chair, seems, to my imperfect vision, a slur upon the moral government of the world. His rivalry with Hamilton was unprincipled on both sides. His treatment of my father was double-dealing, treacherous, and false beyond all toleration. His letter to Mazzei, and his subsequent explanations of it, and apologies for it, show that he treated Washington, as far as he dared, no better than he did my father; but it was Washington's popularity that he never dared to encounter. His correspondence now published proves how he dreaded and detested it. His letter to my father, at the first competition between them for the Presidency, the fawning dissimulation of his first address as Vice-President to the Senate, with his secret machinations against him from that day forth, show a character in no wise amiable or fair; but his attachment to those of his friends whom he could make useful to himself was thoroughgoing and exemplary. Madison moderated some of his excesses, and refrained from following him into others. He was in truth a greater and a far more estimable man.

30th. I wrote little, and continued reading the letters of Jefferson from 1793 till August, 1803, published by his grandson. His duplicity sinks deeper and deeper into my mind. His hatred of Hamilton was unbounded; of John Marshall, most intense; of my father, tempered with compunctious visitings, always controlled by his ambition. They had been cordial friends and co-operators in the great cause of independence, and as joint Commissioners abroad after the Peace of 1783; there had then been a warm and confidential intimacy between them, which he never entirely shook off, but which he sacrificed always to his ambition, and, at the last stage of his life, to his envy and his poverty; for he died insolvent, and on the very day of his death received eleemosynary donations from the charity of some of those whom he had most deeply injured. This circumstance is not creditable to his country. She ought not to have suffered a man, who had served her as he had, to die with his household wanting the necessaries of life. But it

was the natural consequence of the niggardly doctrines which his political system had imposed upon him, and which he had passed off upon the country for patriotism. Among his slanders upon the Administration of my father was the charge of extravagance in diplomatic expenditure; and when he sent Mr. Monroe on the Louisiana mission to France, he wrote to him that he could not have an outfit, and that the refusal of outfits was one of his reforms upon extraordinary missions. The end of all which was, that Mr. Monroe obtained not only the outfit, but gratuities and allowances more than any other Minister abroad has ever had, and died leaving still unsatisfied claims. I am compelled to draw many other harsh conclusions against this great man from his now published letters.

September 2d. I looked this day into Mr. Wirt's life of Patrick Henry, to see his account of the debates in the Virginia Convention upon the Constitution of the United States, and of Henry's opinion and conduct on the occasion of the Alien and Sedition laws. It seems difficult to reconcile them together. His opposition to the Constitution was founded perhaps on the peculiarity of his situation. His opinions then were in the highest tone of republican doctrine, and his aversion to the consolidation of the Union deeply rooted. This makes his approbation of the Alien and Sedition laws the more extraordinary. But in truth the opposition to those laws was merely factious. The main argument of Mr. Madison's report against the Alien law was, that it applied to alien friends when such measures should be applied only to alien enemies. But there was a fallacy in it. The foreign emissaries against whom the Alien Act was pointed were in no wise *friends* of this country. They were chiefly Frenchmen. Jefferson, in his Correspondence, says its principal object was Volney. The relative situation of the United States and France at that time—not a state of amity, but of hostility, though not of declared war. It was such that measures of defence against French secret emissaries were more necessary than they would have been in avowed and open war. The Sedition Act was an ineffectual attempt to extinguish the fire of defamation; but it operated like oil upon the flames. Patrick Henry was elected a member of the Legis-

lature of Virginia in 1799, but he died in June of that year, and before their meeting.

27th. IV. 15. Tuesday; Boston; eulogy on James Madison. I went this morning to Boston with my son. We stopped at his house till half-past nine, when he went with me to the house of Mr. Armstrong, the Mayor of the city. With him I went to the State-House, where the procession was to form at ten. In the Senate-chamber I met Mr. T. S. Mitchell, of South Carolina, Mr. Berrien, of Georgia, and Colonel King, of that State, General John P. Van Ness, of the city of Washington, Dr. Waterhouse, Alexander H. Everett and his brother, Edward Everett, the Governor of the Commonwealth, Mr. Silsbee, of Salem, Mr. Abbott Lawrence and Mr. Stephen C. Phillips, members of the House of Representatives, and some others. It was half-past ten when the procession marched from the State-House, preceded by several military companies of the city. It went down and up State Street, to the ancient Federal Street Theatre, now called the Odeon, where, after a voluntary upon the organ by G. J. Webb, a prayer by Dr. Charles Lowell, an ode by the choir of the Boston Academy of Music—the poetry by Park Benjamin, the music by G. J. Webb—I delivered a eulogy upon the life and character of James Madison. Two hours and a half were occupied in the delivery, and yet I omitted much of the abridgment of my discourse in the copy made chiefly by my son. The house was crowded to the utmost of its capacity. I had undertaken this task with a most painful anxiety and fear that I might be disabled from performing it altogether —an anxiety much sharpened by the illness which for the last three days had almost extinguished my voice. I did get through, but with extreme difficulty, with frequent imperfections of delivery, without being able to raise my voice to be heard throughout the house, and with entire conviction that I must never again engage to address such an auditory on a day fixed beforehand, or, indeed, upon any day, or any occasion. Forty-three years and more have passed away since I first spoke to a crowded audience in Boston. My voice is now gone; my eyes are in no better condition. The day was uncommonly darkened with clouds, and threatened rain the whole morning; there was a

heavy shower while I was speaking, and, the house being lighted only by skylights from above, there were parts of the time when I found it impossible to read, and was obliged to pass over towards the end, or repeat from memory. The delivery was accordingly bad, and I was under much agitation, with the fear that I should be forced to break off in the midst of my address and declare my inability to proceed. There was, however, an uninterrupted and fixed attention of the auditory throughout the whole time, occasional slight cheerings of applause, and at the close a full and long-continued manifestation of satisfaction. Mr. Abbott Lawrence and Mr. Stephen C. Phillips were the first to greet me with their hands, and the expression of warm and entire approbation. They were followed by my old friends John Welles, Judge Davis, President Quincy, and several others, among whom was Dr. Lowell, who had made the prayer. A hymn was then sung by the choir, and after the benediction, by Dr. Lowell, the procession was dismissed by Mr. Pollard, the clerk of the city government. I walked home with Mr. Armstrong, the Mayor, who had invited me and my son to a family dinner, which I had accepted. Dr. Lowell, Miss Walker, a sister of Mrs. Armstrong, and two young men named Homer and Bigelow, who had been among the marshals of the procession, were the company at the dinner-party, which was social and very agreeable. After dinner, I returned with Charles to his house, and then with him to Quincy, where we found our own families not risen from the dinner-table. They had waited for us till past six o'clock, as we had intended to return to dine. We had dissuaded the ladies from going to encounter the agitations of so great a crowd, and I rejoiced that they were not there. I closed the day with gratitude to Heaven for my deliverance from this trial, and with a firm determination never again to expose myself to the same hazards.

28th. I read the article from the North American Review upon nullification, sent to me by Mr. Edward Everett, and written by him in 1830. I read also the letters from Mr. Madison to him upon the subject, of the same date. I have undertaken to mark, in very explicit terms, the difference between the opinions, the purposes, and the conduct of Mr.

305 Madison and Mr. Jefferson with reference to the Alien and the Sedition Acts. They were very remarkably different. I foresee that this may engage me in a controversy with the Jeffersonian school of the South, and that it will be specially unpalatable in Virginia. There are many considerations which make this exceedingly hazardous at my time of life, but after long deliberation I have concluded that there is a duty for me to perform—a duty to the memory of my father; a duty to the character of the people of New England; a duty to truth and justice. If controversy is made, I shall have an arduous and probably a very unthankful task to perform, and may sink under it; but I will defend my father's fame. I will vindicate the New England character, and I will expose some of the fraudulent pretences of slave-holding democracy. I pray for temper, moderation, firmness, and self-control; and, above all, for a pure and honest purpose; and, if it so please Heaven, for success.

October 20th. Mr. Benjamin V. French and Mr. Harvey Field called upon me this evening, as a committee from an Anti-Masonic meeting of citizens of the Twelfth Congressional District, with sundry resolutions respecting the approaching election for Electors of President and Vice-President, for Governor and Lieutenant-Governor of the State, and for a member of the House of Representatives in Congress for the district. Several of the resolutions have reference to me and my conduct, and they nominate me for re-election, not as a special party nomination, but with a declaration of their confidence in my judgment and integrity.

I told them that I received with great satisfaction this renewed mark of confidence from the Anti-Masons of the district; that conscious as I was of deserving no more credit than for the intention of doing my duty to my constituents, and how much they had overrated the value of my services, I could only say that, if re-elected to Congress, I should continue to act on the same principles upon which I have served the people of the district in three successive Congresses; that with regard to the other elections, I deemed it only necessary to say that I should take no part in them, unless the election of the President of the

United States should devolve upon the House of Representatives; in which event my vote will be representative, and not individual. That is, if I can ascertain for whom a majority of my constituents of the district shall have manifested a preference, I shall vote for him, be he who he may.

Mr. Field suggested that it might be desirable that my answer should be given in writing; to which Mr. French assented; and I promised to send a written answer.

November 3d. I received a letter from S. S. Southworth expressing in terms of extravagant applause his opinion of the eulogy, and requesting a copy of it. Quite probably he may publish a bitter and sneering critical review of it. Jefferson paid Callender for reviling and slandering my father, and called it charity. Webster paid Southworth, or at least promised to pay him, for reviling and slandering me, and may call it charity, if he has paid. Southworth is one of the best representatives of the class of political writers for hire in this country. He has been one of the most virulent lampooners upon me of the whole tribe, and has written me many letters full of kindness and veneration. From his letter now, I conclude that he is going to Washington to correspond with the publishers of newspapers throughout the United States, and wishes me again to understand that he is a disinterested man in the market. Webster probably cannot afford to pay for his lucubrations now.

WASHINGTON, 11th.—The excitement of the Presidential election is here as we have found it all along on the road. The remarkable character of this election is, that all the candidates are at most third-rate men, whose pretensions rest neither upon high attainments nor upon eminent services, but upon intrigue and political speculation. The Presidency has fallen into a joint-stock company. Jackson came in upon the trumpet tongue of military achievement. His Presidency has been the reign of subaltern knaves, fattening upon land jobs and money jobs, who have made him believe that it was a heroic conception of his own to destroy the Bank of the United States, and who, under color of this, have got into their own hands the *use* of the public moneys, at a time when there is a surplus of forty millions of dollars in the Treasury. Two political swindlers, Amos Kendall

and Reuben M. Whitney, were the Empson and Dudley of our Solomon, and, by playing upon his vanity and his thirst of petty revenge, have got into their own hands the overflowing revenue of the country; with the temporary and illegal *use* of which they are replenishing their own coffers and making princely fortunes. Jackson has wearied out the sordid subserviency of his supporters, and Van Buren has had the address to persuade him that he is the only man who can preserve and perpetuate the principles of his Administration. And as his term of eight years has run through, and his gang are weary of his sway, he has set his heart upon bringing in Van Buren as his successor, and has successfully exercised all his influence to promote that result.

The opposition, divided between three talented aspirants to the Presidency, neither of whom would yield subordination to either of the others, have been driven in mere desperation to set up men of straw in their places, and they have taken up Hugh Lawson White and William Henry Harrison, as the Israelites set up a calf, and as the Egyptians worshipped oxen and monkeys. White and Harrison are men of moderate capacity, but of varied public service, and of long experience in the affairs of the nation. They are as competent for the Presidency at least as Jackson, and, like him, if elected to his station would rule by the proxy of subalterns—by party management and political love-potions. White and Harrison are now the golden calves of the people, and their dull sayings are repeated for wit, and their grave inanity is passed off for wisdom. This bolstering up of mediocrity would seem not suited to sustain much enthusiasm; but a practice has crept in of betting largely upon the issue of elections, and that adds a spur of private, personal, and pecuniary interest to the impulse of patriotism. This is the exciting cause of all the ardor which we have met with throughout this journey.

18th. I called at the Intelligencer office, and looked over the election returns in the Boston newspapers of Tuesday and Wednesday last. The election was held on Monday for Governor, Lieutenant Governor, Senators, and Representatives for the State Legislature, and for an Electoral ticket for the election

of a President and Vice-President of the United States, and for members of the House of Representatives of the United States in the Twenty-Fifth Congress. The returns are marked by some extraordinary peculiarities. The Whigs, as they now call themselves, have succeeded in Boston by a majority of about two thousand, and will have throughout the State a majority of about ten thousand; but the Anti-Masons, who all voted last year for Edward Everett as Governor, have this year divided, and the larger part of them voted for Morton. This is counterbalanced by a great increase of the Whig party vote. In the Ninth District, Hastings has carried the election against Alexander H. Everett, by a majority of more than six hundred votes; but in the Fourth, Parmenter has carried it against Hoar. In the twenty-four towns of my own district, the returns show a small majority for Morton as Governor, and for the Van Buren Electoral ticket. But there are published returns from only two towns of the votes for members of Congress—Abington, where the vote stated is of two hundred and fifty-two for me, and six scattering; and Rochester, where it is one hundred and forty for me, and two hundred and twenty-two for J. Thomas, of Plymouth. In all the Whig papers there is no more notice of the election to Congress for the Twelfth District than if no such election had taken place. I was nominated by an Anti-Masonic meeting. The Whigs and the Democrats had meetings for the other elections, but made no nomination of me or of any other person. Whether the movement in Rochester was in concert with other towns does not yet appear.

22d. At the office of the National Intelligencer, I saw both the editors, and the newspapers containing the returns of elections in all parts of the Union. From my own district, there is in the Boston Advocate of Saturday a return from the town of Weymouth, in the Twelfth Congressional District of Massachusetts, which, with those from Abington and Rochester, are all that I have yet found. The district is not even named in any other Boston newspaper except the National Advocate. From the three returns published, it would seem that in Abington the three parties all voted for me, that in Rochester, where the

Whigs have a large majority, they voted for J. Thomas, and that in Weymouth, where they are in a small minority, they did not vote at all. The vote for me is only of the Anti-Masons and portions of the two other parties, neither of which ventured a nomination against me, but each of which was ready to support one if it had been made. This was a perilous passage through a narrow strait, and will certainly not be repeated.

23d. Morning visit from Colonel James Thomas; as loquacious as ever about his own affairs and those of the public. At the last session of Congress he obtained an Act for the settlement of his accounts according to the principles of equity, which, in the practice of our Government, is equivalent to the discretion of the accounting officers. They accordingly take their own time for auditing such accounts, and if they do not make them a source of profit to themselves, they make the claimant sufficiently sensible of their power. Thomas, who understands his own interest, works to obtain his settlement by influence; and as Albion K. Parris, of Maine, is now Second Comptroller of the Treasury, Thomas has employed F. O. J. Smith, the member from Portland, as his agent and attorney to prevail upon Mr. Parris to discern the equity of his accounts. This is the way of doing business in this country at this time. Smith is a member of Congress with political influence. Thomas employs and pays him as his agent and attorney. Parris, Comptroller of the Treasury, indebted perhaps to the influence of Smith for his place, has a discretionary power to admit or reject the items of Thomas's accounts; and all this is in the regular course of business. Thomas told me also that it was rumored that some great fraud had been discovered in the returns of the Electoral College of Pennsylvania, and that there was some question whether the Governor would issue his proclamation declaring who were the persons elected. He had much more political gossiping, scarcely worthy of being recollected.

25th. I wrote a few lines to Governor Edward Everett, and to John H. Eastburn, of whom I have asked another hundred copies of the eulogy on James Madison. This is occasioned by a number of applications which I have received from various

persons, strangers to me, and who have just curiosity enough to see the work, without being at the cost of a quarter of a dollar to pay for it. There are in the eastern, central, and western parts of the country multitudes of collectors of pamphlets of this description, who bedaub me with flattery for gratuitous copies of my speeches and orations, while others do them about equal honor by malicious and caustic reviews. There is in the Boston Courier, which Gales this day sent me, such a review of the eulogy on Madison, by a blue-light federalist of the Hartford Convention school, while in the Telegraph newspaper of this day there is a deadly onset upon me from the clanking chains of a Southern slave-holder for my speech upon the Texan imposture last June.

December 5th. Precisely at noon, James K. Polk, Speaker of the House of Representatives of the United States, took the chair of the House, and announced that this was the day fixed by the Constitution of the United States for the annual meeting of Congress. The names of the members were called over alphabetically by States, beginning with Maine, and one hundred and fifty-four members answered at the first call. There was then a second call of the names of those who had not answered at the first, twenty-two of whom answered at the second. New members were then sworn in at the Speaker's table—Orrin Holt, of Connecticut, in place of Andrew T. Judson, appointed Judge of the United States District Court; Rutger B. Miller, of New York, in place of Samuel Beardsley, appointed Attorney-General of that State; John J. Pearson and James Black, in place of John Banks, appointed a Judge in Pennsylvania, and of Jesse Miller, appointed First Auditor of the Treasury; William Chetwood, of New Jersey, in place of Philemon Dickerson, elected Governor of the State; and James Graham, of North Carolina, whose seat was vacated by a decision of the House at the last (session), but whom the people of the district have sent back by a very decisive majority. Archibald Yell took his seat as the first member from the State of Arkansas.

A message was received from the Senate that they had formed a quorum and were ready to proceed to business, and

had appointed, on their part, a committee of notification to the President. The corresponding message to the Senate was ordered, and a committee, on the part of the House, to notify the President. Voted that, till otherwise ordered, the daily adjournment should be till twelve o'clock noon, and then adjourned. Many cordial greetings from members of all parties. I went into the library and took a minute from the first edition of the Federalist.

6th. Walking to the Capitol this morning, I overtook and walked with Micajah T. Hawkins, of North Carolina. I spoke to him of the recent election of a Judge Strange as a member of the Senate of the United States for the present session of Congress, in the place of Willie P. Mangum, who has resigned.

Hawkins said that the Legislature of the State were equally divided between the parties, and that although Judge Strange was elected for the remainder of Mr. Mangum's term, which was only till the 3d of March next, it was very doubtful who would be chosen the Senator for the ensuing term of six years. He said he thought Mr. Mangum would be reappointed to a seat on the bench as a judge. Mangum has resigned his seat in the Senate because his course there has not been sustained by the Legislature or people of his State; but they are now apparently coming round to his opinions. Hawkins has been among the most inveterate on the other side of the question, and the moderation and apparent indifference with which he spoke this day sufficiently indicated the revolution of the wheel of political opinions in his State.

At the meeting of the House, D. J. Pearce, Chairman of the committee on the part of the House to notify the President that the two Houses were ready to receive any communication from him, said they had performed the service, and that he was requested by the President to inform the House that he would make a written communication to both Houses at twelve o'clock this day. The message was accordingly brought in immediately afterwards, and took the Clerk nearly an hour and a half to read. The message repeatedly alludes to the fact of its being the last annual message that will ever be addressed to Congress by him. It teems with glorification upon the pros-

perous condition of the country, with a considerable spice of piety; a hasty and not very satisfactory view of the state of our foreign relations; an unsettled boundary question with Great Britain; long-standing claims of indemnity upon the Belgian Government; no reference to the quarrel with Buenos Ayres, but a boastful notice of a commercial treaty with Siam; a very lame account of the wanton disregard of the rights of nations in the invasion of the Mexican territories; there is excuse, apology, extenuation, and a flimsy argument to justify the invasion; a recommendation to pass the Act for settling the boundary between the United States and Mexico, and earnest caution to preserve a strict and faithful neutrality between Texas and Mexico, with expressions of much regret that Gorostiza, the Mexican Minister, had returned home.

But three-fourths of the message consisted of a dissertation upon banks, banking, and the currency, with a new tribunitian invective against the Bank of the United States; a lamentation over the excesses of money in the public treasury; a direct thrust at the compromise tariff, and abundance of verbiage about gold and silver and the injustice of bank paper to the laboring poor.

Loyall, of Virginia, moved that fifteen thousand copies of the message and five thousand of the documents should be printed for the use of the House, and Briggs moved that the copies of the message separate from the documents should be furnished in two days. A printed copy of the receipts and expenditures was received, with a letter, from the Secretary of the Treasury, which was ordered to be printed. The annual report upon the finance was also received, and ten thousand copies were ordered. Whittlesey, of Ohio, moved to take up for consideration his motion for the appointment of the standing committees, but Gorham Parks, of Maine, moved to adjourn, which was carried by a vote of eighty-six to sixty-seven. Whittlesey and Gillett had given notice that they should move to-morrow for certain alterations of the rules of the House.

7th. This is the day of the meeting of the Electoral Colleges for the choice of a President and Vice-President of the United States for four years from the 4th of March next. It is already

well ascertained that a majority of the whole number of the votes will be for Martin Van Buren, of New York, as President, and almost certain that Richard M. Johnson, of Kentucky, will be the Vice-President.

On my way to the Capitol, I stopped at Gadsby's Hotel to see Mr. and Mrs. Abbott Lawrence. He was there, but Mrs. Lawrence was gone upon a pilgrimage to Mount Vernon. I proposed to Mr. Lawrence to hold a meeting of the members of the Massachusetts delegation to consult together what they shall do upon the petitions for the repeal of the duties upon coal, with which we are charged. There is no doubt that the repeal would be very satisfactory to our constituents as respects that article; but as a breach of the tariff compromise it would unsettle the whole system.

Mr. Lawrence agreed to the meeting, and said that he had several petitions for the repeal of the duties upon coal and breadstuffs, but could not vote for them.

At the House, immediately after the reading of the journal, J. F. H. Claiborne, of Mississippi, announced to the House the decease during the recess of his late colleague, David Dickson, upon whom he pronounced a short eulogy, which I could not hear. He adverted also to the circumstances of his death, which was at a distance from his home, and finished by offering a resolution to wear crape for thirty days; which was adopted.

He was immediately followed by Charles E. Haynes, of Georgia, who announced the decease of his late colleague, John Coffee, in whose honor he offered two resolutions: one, that the House received with the liveliest sensibility the annunciation of the death of the Hon. John Coffee, a Representative from the State of Georgia; and the other, that the House tenders to the relatives of the deceased the expression of its sympathy on this mournful event; and as a testimony of respect for the memory of the deceased, the members will wear crape on the left arm for thirty days.

The declaration of lively sensibility, and the tender of sympathy to the relatives, were out of the ordinary routine of resolutions on the decease of members; but no opposition was made

to either of the resolutions, and they were both entered on the journals as adopted unanimously.

8th. At the House, sundry communications from the President and from the heads of the several Departments were received by the Speaker, and presented to the House. The President's Secretary at this time is Andrew Jackson, Jr., an adopted son, in the place of Donelson, who resigned on account of the illness of his wife.

One of the messages from the President was accompanied by a correspondence with Mrs. Madison, in consequence of a joint resolution of the two Houses of the 30th of June last. This correspondence, it appears, relates to the work left by Mr. Madison upon the Constitution of the United States, which the President recommends should be purchased and published by order of Congress.

Mr. Patton moved that the message should be printed and, with the correspondence, be referred to the Committee on the Library—a joint committee, which had not yet been appointed. He therefore moved the appointment of the committee on the part of the House, and then the reference of the message and correspondence to that committee; which was agreed to. Evans, of Maine, moved that when the House should adjourn it should be to next Monday. Whittlesey's motion for the appointment of the standing committees was then adopted—Mercer's motion to amend, by declaring that absence from the House should not be considered a disqualification for appointment as a member of a committee, being first rejected. John W. Davis, of Indiana, then communicated to the House the decease of George L. Kinnard, a member from that State, whose death was occasioned by the bursting of the pipes of a steam-engine in a steamboat on the Ohio River, about thirty miles below Cincinnati. He died a few days since, at the house of Robert T. Lytle, a member of the last Congress, but now Surveyor-General of the public lands in the State of Ohio. Mr. Davis pronounced a short but appropriate eulogy upon Mr. Kinnard, who was a young man of thirty-five, of a very amiable and respectable character, and whose death was attended by circumstances peculiarly calamitous and afflicting. He moved a similar reso-

lution to those of yesterday—that the members of the House should wear crape thirty days; after which the House immediately adjourned.

William Clark, of Pennsylvania, asked my opinion upon the attempts making in Pennsylvania to procure the revocation of the charter granted last winter by the Legislature of that State to the Bank of the United States. Mr. Charles J. Ingersoll, who maintains that the Legislature have the right to revoke charters for reasons of state, has also written to me, and invited me to give my opinion concerning it. Mr. Clark told me that he was a member elect of the Pennsylvania Convention, to be held next May, for the amendment of their State Constitution.

9th. I kept house all the morning, and received a multitude of visitors by cards. Mr. Clay, Mr. Crittenden, the Senator from Kentucky, and Mr. Southard, of New Jersey, came in, and we had some conversation. Mr. Hugh Evans, of Baltimore, spent the evening with us. I had not seen him for several years, and did not at first recognize him. Mr. Evans is now here upon a negotiation with the Postmaster-General, Amos Kendall, for the transportation of the mail upon the railroad.

Mr. Elliot came here to make enquiry concerning certain passages in my eulogy upon James Madison. One of them was that in which I said that the credit of the acquisition of Louisiana was perhaps due more to Robert R. Livingston than to any other man. He seemed to think that this was an injustice to the memory of James Monroe, and intimated that Mr. Monroe had left to him an injunction to protect his posthumous fame against that hyena, John Armstrong. Elliot said that Mr. Monroe had been exceedingly distrustful of Livingston, and appeared to think he was communicating to me a momentous secret by the information that when Mr. Monroe arrived at Havre the fact was communicated immediately to Napoleon by the telegraph, on the 8th of April, 1803; and that the negotiation was first commenced by a note from Talleyrand to Mr. Livingston, upon the 10th of April. This, Elliot supposed, was a full explanation of what I had mentioned in the eulogy on Madison as an extraordinary coincidence.

I explained to Mr. Elliot that the coincidence to which I had alluded there was the arrival of Mr. Monroe in France precisely at the time when Napoleon had determined to go to war with Great Britain, and that the telegraph communication to Napoleon of Mr. Monroe's arrival at Havre was an incident altogether immaterial, and could add nothing to the merit or service of Mr. Monroe in this negotiation. I told him that in the eulogy upon Mr. Monroe I had given a similar narrative of that transaction, and had taken care to do him entire justice. He had never seen my eulogy upon Mr. Monroe, and asked me for a copy of it, which I gave him. He told me that he had a great collection of historical scraps.

10th. I returned the visit of Mr. Van Buren, with whom I found Walter Lowrie, late Secretary of the Senate. Mr. Van Buren asked me for a copy of my eulogy upon Mr. Madison, to give to Mr. Martini, Chargé d'Affaires from Belgium.

12th. At the House, the standing committees were appointed, chiefly the same as at the last session; but on the Committee of Manufactures, instead of Judson, Holsey, and Philemon Dickerson, are substituted Bynum, Fowler, and T. T. Whittlesey. The Speaker called over the States for petitions. Levi Lincoln presented a petition from twenty-two citizens of Worcester, and moved its reference to the Committee of Ways and Means. I requested him to consent that it should be referred to the Committee of Manufactures, stating that I had a petition signed by eleven hundred citizens of Boston of the same purport, of which I should move the reference to that committee. Lincoln refused to accept my proposal.

I presented, then, the memorial of Daniel Brent, Consul of the United States at Paris, praying for some additional compensation, which was referred to the Committee of Foreign Relations. After which, I presented the petition of S. Braynard, and eleven hundred citizens of Boston, for a reduction of the duties upon foreign coal. I moved its reference to the Committee of Manufactures. Patton, of Virginia, moved its reference to the Committee of Ways and Means, upon the ground that the prior petition had been so referred. I then asked for the yeas and nays upon the reference to the Com-

mittee of Manufactures, upon which the Speaker said that if debate arose, the consideration of the question must be postponed by a rule of the House till to-morrow. The yeas and nays were ordered, but debate appeared, and the question was postponed.

The Speaker went through the call of the States for petitions, and then began the call for resolutions, multitudes of which were offered, some wise, some foolish. Fry, of Pennsylvania, moved that a bill should be brought in to repeal the duties on all grain and breadstuffs, and the reference of his resolution to the Committee of Ways and Means. A motion was made to amend, by referring it to the Committee of Agriculture; which was carried. I then moved to amend the resolution by inserting, "and on coal, and salt, and iron." Lewis Williams, of North Carolina, moved as an amendment to my amendment, "and on sugar," and by this time the House was ready to lay Fry's resolution on the table. The whole subject was postponed till next Monday.

There was a string of resolutions for amendment of the Constitution by giving the election of the President and Vice-President of the United States directly to the people, extending the term of office of the President to six years, and not to be re-eligible. These resolutions were ordered to be printed, and are to be discussed hereafter. Hawes moved a committee of seven to make a report against the Academy at West Point; which was carried. Soon after three o'clock the House adjourned.

13th. At the House, upon the motion of George Loyall, of Virginia, they went into committee of the whole on the state of the Union, and Loyall moved sundry resolutions parcelling out the message of the President to sundry of the standing committees, and proposing a select committee to consider the proposals for an amendment to the Constitution in the election of the President and (Vice-President of the) United States. The Speaker had called me to the chair, so that I could not enter into any of the debates on the resolutions. There was no proposed reference of any part of the message to the Committee of Manufactures, and the whole subject of finance, of revenue, of

reduction of the duties, and everything connected therewith, was referred to the Committee of Ways and Means. There was a resolution referring whatever related to Indians in the message to the Committee on Indian Affairs; upon which Dixon H. Lewis, of Alabama, moved an exception for claims of citizens of Alabama, Georgia, and Tennessee for property taken by the Indians, or damages done by our own troops, the reference of which he moved to a select committee. This gave rise to a debate, in the result of which the exception moved by Lewis was made, but the reference was to the Committee of Claims. On the reference of the recommendation for amending the Constitution, Underwood, of Kentucky, himself a Constitution tinker, moved that certain propositions of his own, made at the last session of Congress, should be referred to the same committee. On calling for the vote, at least half the committee voted neither aye nor no. Not half the members would rise, either in the affirmative or negative. A vote by tellers was called for, and Mr. Underwood's motion was adopted. Carter, of Tennessee, moved an additional resolution upon the reference of the provision for Tennesseans called out to fight the Indians, and discharged without being employed, to a select committee.

Pearce, of Rhode Island, moved the Committee of Military Affairs; which Carter accepted.

Cave Johnson moved it should be to the Committee of Claims; which was carried.

After the resolutions were all gone through, Henry A. Wise, of Virginia, moved a resolution, that so much of the message as related to the ability and integrity with which the Executive Departments have been conducted should be referred to a select committee of investigation thereon, with power to send for persons and papers, and to use their discretion with respect to times. This resolution he supported by a written speech of about an hour and a half, reviewing the life of Andrew Jackson, with extraordinary tenderness and partiality in his favor; and the whole of this last message, and the President's conduct in electioneering for his successor, with equal keenness and severity. No answer was made, or attempted, to the speech,

and the resolution was carried, by tellers, by a vote of eighty-seven to seventy-six, many of the Administration members voting for it. The committee then rose, and I reported the resolutions to the House. They were ordered to be printed; and the House adjourned.

14th. At the House, the business taken up immediately was the resolutions upon the President's message reported yesterday by the committee of the whole on the state of the Union. They were adopted as reported by one vote, with the exception of the third, twelfth, and fifteenth and last, which was Wise's. The third was that which referred the financial affairs, reduction of duties, currency, and everything connected therewith, to the Committee of Ways and Means. I moved as an amendment, excepting so much of the message as relates to the protective duties, and everything connected therewith, and then a separate resolution, referring that to the Committee of Manufactures, and everything connected therewith.

This raised a debate which consumed the day. Cambreleng, Chairman of the Committee of Ways and Means, as his manner is, professed not to oppose my amendment, and made a speech against it, followed by sundry others, most of whom launched out into a general declamation upon the tariff, the compromise, the currency, the public lands, the Deposit bill, and the like. Boon, of Indiana, and Hardin, of Kentucky, spurted and babbled for the sake of personal flings at me—Hardin, indirectly; Boon, directly. I had expressed surprise that the President's message had not so much as named the manufactures of the country, and I had, therefore, been compelled to limit my resolution to the parts of it relating to the protective duties, and everything connected therewith; an exceedingly convenient mode of expression, and to which they dared not object, because it was taken from Loyall's own resolutions.

Boon, whose political existence hangs to his servility, and whose faculty of speech is a yelp, sputtered at the great services of the present Administration to the manufacturing interest of the country, and charged me with having slighted it when I was in power.

Hardin let out some of his venom upon New England, and

said we should have a little battle when we should come to debate the taking off the duties from grain and the breadstuffs, because the crops had not failed in the States west of the mountains, as they had in the Atlantic States. He spoke against the repeal of the Deposit bill in advance, and said that in five years from this time the proceeds of the public lands would not amount to two millions of dollars a year.

Pickens, of South Carolina, spoke of his earnest desire to proceed in this manner in harmony with the gentlemen of the North, and was for adhering with the most pertinacious good faith to the compromise. Bouldin, of Virginia, who never knows his own mind, and talks upon everything, was also exceedingly earnest to preserve unsullied the faith of the compromise, but was, above all, for reducing the duties to the wants of the Government, and excessively indignant at the idea that the States should be pensioners on the bounty of the General Government. At the end of Bouldin's speech no one could tell how he would vote upon the question before the House. Abijah Mann and Vanderpoel, of New York, were vehemently against any reference to the Committee of Manufactures, and Vanderpoel wondered that the Chairman of the Committee of Ways and Means should have given any countenance to my proposition. They argued, from the reference of the petition for the repeal of the duties on coal, presented by Mr. Lincoln, to the Committee of Ways and Means, that the whole subject belonged to the Committee of Ways and Means, and insisted that such had heretofore been the practice of the House. This argument put the whole case in my hands. Harmar Denny and Briggs had spoken in support of my amendment. I read from the journals of the House in December, 1831 and 1832, the reference to the Committees of Ways and Means, and of Manufactures, and called to the recollection of the House the proceedings of both those committees, and the action of the Houses upon them in both those sessions; and that the final compromise was not effected by either of those committees, but by a treaty between Mr. Clay and Mr. Calhoun, smuggled into the House at the third reading of the bill reported by the Committee of Ways and Means, and substituted for it.

Toucey, of Connecticut, then moved a division of the question upon my motion: first, upon the exception in the reference to the Committee of Ways and Means, to which he objected; and, secondly, upon the reference to the Committee of Manufactures, for which he would vote.

I said I would save the House the trouble of voting upon the exception by withdrawing it, if it was understood that the opposition to my proposed reference to the Committee of Manufactures was also withdrawn.

Gillett, of New York, moved to limit the reference to the Committee of Manufactures to so much of the protective duties as related to the manufactures.

I said there was no part of it that related to the manufactures. The message spoke of the protective duties generally, without any reference to the manufactures.

Gillett's motion was rejected without a division.

I waived the call for yeas and nays, which had been ordered, and my proposed reference of the parts of the message relating to the protective duties, and everything connected therewith, to the Committee of Manufactures, was carried without a division.

Upon the twelfth resolution, the select committee on the proposed amendment to the Constitution, Galbraith, of Pennsylvania, moved to add the reference of all proposals made at the last, or to be made at the present, session, of amendments to the Constitution, to the same committee; but this was rejected.

It was now three o'clock, and the question upon Wise's resolution was to be taken. Pearce, of Rhode Island, said it would doubtless occasion debate, and moved to adjourn. Enquiry was made whether he proposed to debate it; he said he did not know—it would depend on circumstances; and the House adjourned.

15th. I rose this morning at five, and there was so much of my fire of the last night still burning that I was enabled to sit down at my table to write; but very soon after I was roused by the bell of St. John's Church, to witness the fire which consumed the General Post Office and Patent Office of the United

States. Before sunrise the fire had performed its work—the whole building was a heap of ruins. In mercy the dwelling-houses and other buildings round it were spared.

At the House, Connor, of North Carolina, Chairman of the Committee on Post-Offices and Post-Roads, offered a resolution instructing that committee to enquire into the causes of the conflagration of the Post Office this morning, and to report whether it has rendered any measure of legislation expedient or necessary.

Briggs, immediately before the adjournment, moved that this committee should be authorized to send for persons and papers; both resolutions were adopted.

Instead of the call for petitions, the unfinished business of yesterday—the resolution offered by Wise—consumed the day. D. J. Pearce, of Rhode Island, made a speech against it, and offered a substitute for it—a committee to investigate any charges which may be made against any of the heads of Departments. Baylie Peyton answered Pearce by a speech of cutting invective and sarcasm. He was followed by Glascock, of Georgia, who extenuated and apologized, and said he would vote for Pearce's amendment, and, if that should fail, for the resolution as offered by Wise. At the recent election in Georgia, Glascock was the only member of the delegation voted for by both parties. He defended Jackson and Forsyth as well as he could—with some weakness of argument, but with good temper and moderation.

Ripley, of Louisiana, came out vehemently against both resolutions. Ripley has had bills for his personal profit and emolument pending before Congress, and knows where the majority for fingering the Treasury purse is to be found. His principle is in his breeches-pocket. His voice was so feeble that I heard very little of his speech, but enough to understand that its mainspring was sycophancy. Peyton replied with some bitterness.

Mann, of New York, made a short speech professing to favor the investigation, that it might redound to the honor of the Administration.

Underwood, of Kentucky, spoke nearly half an hour in sup-

port of Wise's resolution, and specified sundry abuses in the Post-Office Department.

The debate continued till half-past three o'clock, when, without taking the question, the House adjourned.

Rice Garland, of Louisiana, asked me if Ripley had once written me a letter pretending to be a friend and supporter of my election as President of the United States. I told him that I believed Ripley had written me a letter, but whether he had professed political friendship for me or not, I could not recollect. If he did, I had not considered it of sufficient importance to charge my memory with it.

16th. At the House, no attempt was made to continue the debate of yesterday. Upon the motion of Elisha Whittlesey, Chairman of the Committee of Claims, the House immediately went into committee of the whole, Haynes, of Georgia, in the chair, upon private claims.

Three bills only passed through the committee, with little or no debate; the third, a bill for the relief of the legal representatives of a Colonel Anthony White, a Virginian officer of the Revolutionary War. It was for a loan of a hundred and fifty thousand dollars paper money, in the year 1780, worth three thousand dollars; but the claim is for fifty-six years' interest at four per cent., making the whole sum now demanded upwards of twelve thousand dollars. It was debated nearly three hours. Where this claim had been, and how, after fifty-six years, it remained yet unsettled, was not very clearly shown, but no question was made upon that. Fifty-six years' interest was the claim, and, being a Virginian Revolutionary claim, was irresistible. A few members of the old-fashioned stubborn accountants and stiff economists held out; but for the Revolutionary claim, the mere name is now all-sufficient. The bill was carried through the committee of the whole, and passed to the third reading, with a faint and timid opposition from Wardwell and Parker. The committee rose, and the House adjourned soon after three.

19th. At eleven o'clock I attended the Committee of Manufactures, the members of which had been notified to attend a meeting this morning, during the session of the House last Friday. Three of the members—Denny, Gideon Lee, and

Bynum—were not then in the House, but I met Mr. Denny as I was going to the Capitol this morning, and told him; and Mr. Lee had been informed by another member. All the members were present except Bynum. They are this session Denny, Gideon Lee, Granger, McComas, Webster, Fowler (in place of Philemon Dickerson, now Governor of New Jersey), Bynum, of North Carolina, in place of Hopkins Holsey, of Georgia, who was not here in time, and Thomas T. Whittlesey, of Connecticut, in place of Judson, now United States District Judge in Connecticut.

On meeting the committee, I read to them the reference of that part of the President's message relating to the protective duties, and everything connected therewith; and Mr. Lee enquired what parts of the President's message I considered to be included in the reference. I read the paragraph in the message in which the protective duties and the tariff are mentioned, and also the paragraph in which he recommends salt, fuel, and provisions as the articles upon which to commence the reduction of the duties; and then I said the words, "and everything connected therewith," opened the whole subject of the revenue and the reduction of duties to the consideration of the committee. Mr. Lee said he thought so too. After a brief and general discussion, it was agreed that the committee should meet on Thursday and Monday mornings at eleven o'clock, till further order, and the committee adjourned.

The House were already in session, and the reading of the journal had just commenced. The question upon the reference of the petition presented by me for the reduction of the duties on foreign coal to the Committee of Manufactures or the Committee of Ways and Means, immediately came up.

J. W. Davis, of Indiana, moved that it should be postponed till next Monday; which was refused.

A debate of about an hour ensued, and the reference to the Committee of Manufactures was rejected, by yeas and nays—eighty-eight to one hundred and twenty-four; all the New York Van Buren members voting against it. The reference to the Committee of Ways and Means was then made without opposition. The call by States for resolutions then recommenced,

and was completed. That for petitions began anew. I moved the reference of petitions presented by me during the last session from the heirs of John Stokes, and from Thomas Wells Dickinson, to the Committee on Revolutionary Claims; which was done.

21st. Pearce's substitute for Wise's resolution of enquiry into the ability and integrity with which the Executive Departments have been conducted came up, and the House were much disposed to take the question silently upon it; but Lane, of Indiana, was charged with a speech of an hour upon it, which he accordingly delivered—a full glorification of Martin Van Buren. The House then adjourned. There had not been a quorum in the House one-third of the time while Lane was speaking. There is an apparent listlessness prevailing throughout the House—an indifference to what is doing, and an unwillingness to debate anything—which indicates subsided excitement. Jacob Fry, Jr., a member from Pennsylvania, asked me in behalf of one of his constituents, who, he said, was a friend of mine, where he could procure a copy of my eulogy upon Mr. Madison; and I promised to give him one.

22d. Met the Committee of Manufactures at eleven A.M. Present, with the Chairman, Messrs. Denny, Granger, Lee, Bynum, Fowler, and T. T. Whittlesey; absent, McComas and Webster. After some further general discussion upon the part of the President's message referred to the committee, it was considered that the reference by the House of the petitions for the repeal of the duties upon coal to the Committee of Ways and Means had settled the principle that the reduction of the revenue was to be prepared by the action of that committee, and that it was not the duty of the Committee of Manufactures to undertake the same labor. Mr. Granger said he had considered the question upon the reference as a test question, and I said I had viewed it in the same light. It was agreed, therefore, to suspend the semi-weekly meetings of the committee, to wait for the report of the Committee of Ways and Means, and the Chairman of the Committee of Manufactures to call the next meeting of the committee when he shall think proper.

A message was received from the President concerning the new republic of Texas—the recognition of her independence,

and her application to be annexed to the United States. This message was in a tone and spirit quite unexpected to me, and certainly to a large portion of the House—a total reverse of the spirit which almost universally prevailed at the close of the last session of Congress, and in which the President notoriously shared. This message discourages any precipitate recognition of Texas, and speaks with due caution and reserve of its annexation to the United States.

Motions were made to print ten thousand and twenty thousand copies of it, which occasioned some debate. Whittlesey, of Ohio, objected to the largest number, upon the principle of economy, but, after some discussion, withdrew his objection. Briggs, Hoar, D. J. Pearce, and even Boon, of Indiana, the thickest skull, the narrowest mind, and the pettiest teasle in the House, supported the largest number. The message itself was referred to the Committee on Foreign Relations, of which Howard, of Baltimore, is now Chairman.

Cambreleng, Chairman of the Committee of Ways and Means, moved to go into committee of the whole upon a bill for the entire reorganization of the Mint.

Objection was made, and he obtained a suspension of the rules, by a vote of more than two-thirds, to go into committee of the whole, saying that it was important that the bill should be passed before the 1st of January; Muhlenberg, of Pennsylvania, in the chair.

When Johnson, the Clerk's assistant, read the bill, I found it was in thirty-six sections, totally subverting the whole system of our coinage of gold, silver, and copper; changing the weight and standard both of the gold and silver coins, reducing the weight of the copper cent, and accomplishing a revolution in our whole specie circulating medium. I had never before heard a syllable of the bill. I moved immediately that the committee should rise and ask leave to sit again; stating my astonishment that a bill of so much importance should be attempted to be hurried thus through the House without previous notice, and objecting most earnestly against the debasement of the coins, which I had detected in the reading of the bill. I complained particularly that the House had been thus taken by surprise.

Cambreleng, however, was supported by Joseph Ingersoll, McKim, and even Lawrence, members of his committee; and on the question that the committee should rise, after an abortive vote for want of a quorum, it was taken, by tellers—sixty-five to sixty-five, and the Chairman decided against rising. So the bill is to be driven through as a party measure.

I was now obliged to debate it entirely without preparation, and started objections, particularly to the debasement of the coins. I met with no support, but Ingersoll moved to strike out the part of a section making the cent a tender to a certain amount; which was carried. I then moved to strike out the whole of the section. After some debate, another motion to amend it was made, and when the question was taken no quorum voted; upon which a motion that this committee should rise succeeded, and the House adjourned.

Cambreleng then introduced to me Mr. Patterson, the Director of the Mint, who, he said, would explain to me everything in the bill upon which I should desire explanation. I told Mr. Patterson that I should be glad to see him at my house at his convenience.

Gillett came also to me, and spoke of his bill for coining gold dollars, which he proposes to engraft upon this bill of Cambreleng's.

24th. A succession of visitors from almost immediately after breakfast till past three o'clock kept me at home. The first was Mr. Patterson, the Director of the Mint, with whom I had some conversation on the bill now before the House for reorganizing that establishment and subverting the whole system of our coinage. There are some things in the bill which I approve; others to which I cannot possibly be reconciled; others of which I have doubts, and think a change hazardous. The debasement of the silver and copper coins is of the first class; though I fear my resistance against it will be unavailing. Mr. Patterson had no tolerable reason to justify these innovations. We were, however, interrupted by other visitors, so that I had not the opportunity of examining with him the other parts of the bill. Mr. Love asked me for a copy of my eulogy on James Madison for Albert H. Tracy, and one for himself,

which I promised, and for Tracy a copy of the oration upon La Fayette. I asked Cushing if there would be a report from the Committee of Foreign Affairs on the President's message concerning Texas. He had some doubts.

Cushing, as a member of that committee, concurred in their excellent senseless report of the 4th of July last, on Texas, screwed through the House by the previous question, without allowing one word of discussion. The tone is now totally changed. Waddy Thompson told me yesterday that he would give me the report of General James Hamilton to the Senate of South Carolina upon the subject, which spoke the sentiments of the people of that State; the message of the Governor, McDuffie, did not. Hamilton's report was published in the Telegraph of last evening. It represents the Texans as a people struggling for their liberty, and therefore entitled to our sympathy. The fact is directly the reverse—they are fighting for the establishment and perpetuation of slavery, and that is the cause of the South Carolinian sympathy with them. Can this fact be demonstrated to the understanding, and duly exhibited to the sentiment, of my countrymen? with candor, with calmness, with moderation, and with a pencil of phosphoric light? Alas! no!

Mr. Samuel W. Smith called on me, and amused me with some of his antediluvian fancies about the high salaries and corrupting patronage of the Federal Government. He thinks that the President's salary should be reduced to ten thousand dollars a year, and all the rest in proportion.

I dined with Mr. Joseph M. White, the delegate from Florida, with a company somewhat oddly selected, consisting of the Secretary of State, Forsyth, W. C. Rives, one of the Senators from Virginia, S. L. Southard, Senator from New Jersey, Owens, of Georgia, Briggs, of Massachusetts, Granger, of New York, and myself, members of the House of Representatives, and Matthew St. Clair Clarke, the former Clerk of the House. The dinner was luxurious, the wines various and exquisite, the conversation lively, pleasant, and frivolous. Mr. Forsyth told me that Santa Anna, the President of the Mexican republic, and late prisoner of the Texans, would be here within a week. His mission cannot be for good.

25th. Mr. Joseph Gales, Jr., had, at my request, sent me the volume of the large compilation of American State papers containing Alexander Hamilton's report upon the Mint. I read part of it this day, with a view to compare the reasoning and opinions embraced in it with the Act of Congress adopted upon its recommendations and with the provisions of the bill now before the House.

In this case, as in many others, on beginning to read, I find occasion for reading further and probing deeper. The subject is exceedingly complicated, involving much arithmetical calculation, political economy, and moral principle. My knowledge upon the subject, very imperfect, but probably more extensive than that of any other member of the House, lies rusted upon my memory and in much confusion. With many other things to distract my attention—the tariff, the excess of revenue, the public lands, and, above all, Texas and slavery—I have the further discouragement of a clear perception that this demolition and reconstruction of the Mint, and coinage of all the monetary metals, will be driven through both Houses of Congress upon party stilts, and probably without the allowance of discussion. I shall certainly not be indulged with time to prepare myself with a thorough examination of the subject, and am sure of being defeated by the previous question or by the yeas and nays, whether in opposition to the whole bill or to any of its details.

26th. At the House, W. C. Dawson, a member from Georgia, who comes in the place of Coffee, deceased since the close of the last session, was qualified, and took his seat. Petitions called for by States. I presented the petition of Joseph Page and twenty-six citizens of the town of Silverlake, Susquehanna County, Commonwealth of Pennsylvania, praying for the abolition of slavery and the slave-trade in the District of Columbia.

Pickens, of South Carolina, attempted to raise a question upon the reception of the petition, and appealed to the resolutions of the last session.

The Speaker said it was too late, the petition being already in possession of the House; and he considered the resolutions of the last session as expired with the session itself.

Davis, of Indiana, called up the resolution that he had offered, and which was on the Speaker's table, that all petitions which may be offered praying for the abolition of slavery in the District of Columbia, or in the Territories, shall be laid on the table without reading or being printed, and without debate.

Davis had not the wit to see that his resolution instigated the very debate that he wanted to suppress.

I said the resolution deserved a full and thorough consideration, and I hoped would have it. But I suggested to him the expediency of moving to postpone, and make it the special order of some future day, to avoid interrupting the presentation of petitions.

Davis's friends moved to lay his resolution and the whole subject on the table; which was done, by yeas and nays—one hundred and sixteen to thirty-six.

27th. At the House, Cambreleng, from the Committee of Ways and Means, reported the annual General Appropriation bills for the civil and diplomatic expenses of the Government. A message from the President was received, with documents, respecting the State of Michigan. The Convention of the people assembled at Ann Arbor, by an Act of the Legislature of the State, conformably to the Act of Congress of the 15th of June last, declined accepting the condition prescribed as a sine quâ non to the admission of the State into the Union. But, since that, another Convention, assembled without authority from the Legislature, but assuming to act for the people, have given their assent to the condition. The President says that if this had happened during the recess of Congress, he would have issued his proclamation declaring the State admitted; but, as Congress are in session, he leaves the decision to them.

The message was without debate referred, with the documents, to the Committee on the Judiciary.

Among many other resolutions offered, was one by Cambreleng instructing the Committee of Commerce to enquire into the expediency of abolishing all laws authorizing protections to be issued to American seamen.

Some objection was made to the resolution.

I supported its reference to the committee for enquiry, but

expressed my doubts whether the issuing of protections ought to be superseded. I thought it might be very proper to grant them gratuitously to relieve the seamen from the charge.

There was some further debate, not against the reference to the committee, but against the proposition to abolish the issuing of protections altogether. Cushing moved an amendment restricting the enquiry to the abolition of the tax, and Gillett moved to enlarge it to the abolition of all fees imposed upon seamen; which Cambreleng accepted as a modification, and so the resolution passed.

The bill for reorganizing the Mint establishment was taken up in committee of the whole on the Union. Harper's motion, to fix the weight of the cent at one hundred and sixty-eight grains troy, as it has been these forty years, instead of one hundred and forty, to which the bill proposed to reduce it, was pending, and I supported it very earnestly. The amendment was carried. I moved as a further amendment, that the dime, instead of forty grains, as proposed in the bill, should be fixed at forty-one and a quarter grains, and the half-dime at twenty and five-eighths instead of twenty. These amendments, after some discussion, were assented to by Cambreleng, and adopted by the committee, and thus the bill was reported to the House, and passed to a third reading. Gillett proposed to restore a proviso, that cents should be made a tender at least to the amount of half a dime; but his motion was rejected. He did not attempt to introduce his one-, two-, and three-dollar gold coins.

28th. Howard, Chairman of the Committee of Foreign Relations, reported a bill for carrying into effect the boundary treaty between the United States and Mexico; read twice, and referred to the committee of the whole on the state of the Union.

This bill ought to have passed at the last session of Congress; but it was set aside by the frenzy for the immediate recognition of Texas. Then came the resolutions, of which I notice only those of chiefest interest.

Gideon Lee moved an instruction to enquire, by the Committee of Post-Offices and Post-Roads, into the necessity of procuring a fire-proof post-office building at the city of New

York. And Gideon said he knew it was not proper, in offering such a resolution, to make a speech, and he made a speech. His resolution was adopted.

Vanderpoel moved an instruction to the Committee of Foreign Relations, to enquire into the expediency of abolishing the office of Agents of Claims at Paris and London. And *he* made an unanswered speech, and his resolution was adopted.

Taylor, of New York, moved an instruction to the Committee on Revolutionary Pensions, to enquire into the expediency of extending the Pension Act of the 4th of July last in behalf of the widows of all Revolutionary soldiers who ought to have been pensioned, excepting such as were remarried after the war; and Taylor made a well-written, and ornamented, and gallant speech, and his resolution was adopted.

Hard, of New York, moved an instruction of enquiry, to grant lands to the officers in the last war. But this resolution, after some debate, was laid on the table, by yeas and nays—one hundred and twenty-one to seventy.

The Mint bill was read a third time and passed; and two bills of appropriations—one of two millions, for suppression of Indian hostilities, and one for the payment of pensioners, both passed without question or one word of debate. Amendments were made by unanimous consent to the Mint bill; rendered necessary by the amendments adopted yesterday, but which had not then been attended to, because I suffered the question to be taken on the whole remnant of the bill, after obtaining the amendments for which I contended, without insisting that it should be read through section by section. Cambreleng came to my seat this morning and showed me that these amendments were necessary. One of them was a section (the thirty-eighth) requiring the Director of the Mint to account for the profits made upon the debasement of the dimes. This section was annulled by the amendment restoring the dime and half-dime to their intrinsic value. Yet the section remained in the bill till now stricken out.

The rules were suspended to resume the call by States for resolutions. Garland, of Virginia, moved a call upon the Secretary of the Treasury for a return of profits and dividends made

by the deposit banks before and since their having the deposits. Garland is a stiff Van Burenite, but has a Virginian propensity to bait the Executive. The Dutchmen did not dare to oppose his resolution in front; so Gillett moved an amendment, to call for a return of the increased *expenses* of the deposit banks. Boon, of Indiana, somewhat alarmed, talked of moving a postponement if there was debate.

Harlan, of Kentucky, moved as an amendment to Gillett's amendment, that the Secretary should also return whether a part of those expenses of the deposit banks was for an agent in connection with the Treasury, the name of such agent, and the amount paid him by those banks respectively.

Reuben (Whitney) was about to be exposed bare to the bone. Hannegan, of Indiana, instantly moved to lay the resolution on the table, and Boon, in agony, moved to adjourn; which was carried.

29th. At the House, the day was wasted in a debate upon a motion made by Galbraith, of Pennsylvania, to refer to a select committee a memorial from sundry of his constituents, called up from the files of the last session, urging upon Congress to propose an amendment to the Constitution restricting the States from the power of chartering banks, and also complaining that the Bank of the United States have continued to reissue their old notes since the expiration of their charter granted by Congress, and calling upon that body to provide a remedy for this evil. Galbraith moved to refer this memorial to a select committee, which engaged a very gratuitous debate of three hours.

Levi Lincoln made a warm, passionate, and not very forcible speech against it, thereby rallying all the Administration strength in support of Galbraith's motion, which otherwise might have failed. Lincoln moved the reference to the committee already appointed upon other proposed amendments to the Constitution. D. J. Pearce moved the reference to the Committee of Ways and Means. Hannegan, getting tired of a senseless debate, moved the previous question; which was carried, and the reference was made to a select committee.

31st. James Garland's resolution of enquiry for the dividends

and profits of the deposit banks, before and after they were entrusted with the public moneys, was taken up.

Harlan had moved an amendment of enquiry, whether the banks employed an agent in their dealings with the Treasury, with the name and compensation of the agent. Upon this, Vanderpoel had shingled over another amendment of enquiry, whether the Secretary of the Treasury employed any agent in his transactions with the banks.

Hannegan had made a motion to lay the whole on the table; which motion was now rejected, by yeas and nays—twenty-eight to one hundred and forty-one. Cushman moved the previous question; which was rejected—seventy-eight to ninety-one.

It was clear that a decided majority of the House had made up their minds to allow the enquiry to be instituted. Harlan made a short speech which hazarded his amendment, but Granger called for the yeas and nays, and Garland accepted the amendment of Harlan, and modified his resolution, so as to institute a select committee of investigation, with power to send for persons and papers, if they should think it necessary. D. J. Pearce opposed the resolution, and E. Whittlesey suspended the debate by calling for the orders of the day.

Year.—The year 1836 has been a year of some vicissitude in my public life and in my private concerns—strewed with roses and beset with thorns; for the results of which I bow in grateful homage to the Disposer of all events. A year of severe trials, which I have sustained without sinking, by the aid of a merciful protector, but which, in the course of nature, I cannot expect to sustain me much longer. The year began by a desperate and furious, yet insidious and crafty, onset upon my character by Daniel Webster, in the form of a speech in the Senate on the 14th of January, published with great flourishes of trumpets in the National Intelligencer of the 18th. I answered by the offer of a resolution of enquiry and a speech on the 22d of the same month; it demolished the speech of Webster, drove him from the field, and whipped him and his party into the rank and file of the nation in the quarrel with the French King. But it opened upon me the whole pack of

the Presidential opposition candidates, and their abettors in and out of Congress, who would have sunk me into perdition temporal and eternal if they had had the power. I weathered this storm, and was re-elected to the next Congress without formal opposition, but almost without Whig votes. The delivery of the eulogy upon President Madison was the principal incident of the year; and was successful. I have to bless the Giver of all good for improved health—not only my own, but that of my dearest friend.

January 1st, 1837.—At the Presbyterian Church, morning service, I heard Mr. Fowler, from Jeremiah viii. 20: "The harvest is past, the summer is ended, and we are not saved." There is great earnestness and sincerity in the discourses of this young man, and, though very plain and unadorned, they command the deep attention of his auditory. His text was allusive to the close of one year and the commencement of another; and he explained the order of events as expressed in the text by observing that in Judæa, where the prophet wrote, the harvest precedes the summer. He very fervently urged upon us, his hearers, to make the application of his text to ourselves—to consider that our harvest was past, that our summer was ended, and that we were not saved—and he exhorted us most earnestly, while a remnant of time was *left* us, to provide for working out our own salvation. I heard him with a disposition and a desire to profit by his instruction, and with the deepest conviction that my summer is ended and my harvest past. Whether I am or shall be saved is all unknown to me; I know that I have been, and am, a sinner—perhaps, by the depravity of the human heart, an unreclaimable sinner; but I cannot, if I would, divest myself of the belief that my Maker is a being whose tender mercies are over all His works; that, having the power to make me both will and do, however He may chastise, He will not cruelly punish thoughts which His pleasure may control, or deeds which, however wrongful or improper, His power can turn to good. We are passive instruments in His hands. He will not suffer us to do evil, and then sentence us severely for what He has suffered us to do.

My reason and my sense of justice will not yield to any other creed than this; and, therefore, when a preacher tells me that I am not saved, I believe that he says that of which he knows as little as myself, perhaps less—perchance nothing at all. Mr. Fowler's sermon, therefore, did not deeply distress me; nor depress my hopes of better things.

2d. Intense cold, with a strong gale from the northwest, and a clear sky. The visitors were fewer than they have ever been upon a New Year's day since we have resided in this house. The cause of this, besides the severity of the weather, was, that for the first time for many years the President's house was not opened to visitors. Many of them, before or after going there, were accustomed to come here. But the President had some weeks since a bleeding of the lungs, from which, though much recovered, he remains yet too feeble to receive multitudes of visitors. In addition to which, it is but three days since he received the tidings of the death of Mrs. Donelson, the wife of his Secretary, and who has always lived with him at the President's house.

I answered a letter from Robert Clarke, of Monroe, Michigan. He wrote me a letter asking my opinion upon the proceedings in that State relating to its admission into the Union. At the last session of Congress an Act was passed for admitting the State of Michigan into the Union; but in that same Act, and in another, they took away, without a shadow of right, some six hundred square miles of the Territory of Michigan and gave it to the State of Ohio. And, conscious that they had no right to do this, they made it an indispensable condition of the admission of Michigan into the Union that a Convention of the people called for that express purpose should declare their assent to this change of their boundary. The Legislature of Michigan accordingly called a Convention, which met in September, and by a majority of seven votes rejected the condition which Congress had imposed upon them. Two months later, another Convention, elected by a spontaneous movement of the people, accepted the condition. This Mr. Clarke, who writes to me for my opinion and advice, considers this second Convention as a mere mockery, assembled without authority; and

enquires whether Congress could not be prevailed upon to revise their Act for the admission of Michigan into the Union.

I answer him that they probably will, but that I have no hope that they will repair their injustice to the people of Michigan, sanctioned as it has now been by the assent of the Michigan people themselves. This is one of the most remarkable examples of the usurpation of power and perpetration of wrong by Congress that has occurred since the Government of the United States has existed; an usurpation of judicial power for a shameless and barefaced violation of the rights of property. So conscious was Congress of the wrong they were doing that, by another daring usurpation of power, they made the formal assent of the people of Michigan to this robbery of their property an express condition of their admission as a State into the Union, having no more right to prescribe this condition than to take from the people of Michigan their property. Against all this I solemnly protested in a speech of three hours when the wrong was done, but found no support from any quarter of the House. There were twenty-nine members of the House from the States of Ohio, Indiana, and Illinois, all interested against the right of Michigan; and there were thirty-five Electoral votes from those three States to be lost to any candidate for the Presidency or Vice-Presidency at the then approaching Presidential election. There were in the Senate, besides Mr. Van Buren, two avowed candidates and three or four aspirants to the Presidency, and in the House, two proclaimed candidates for the Vice-Presidency, hoping for the votes of those three States, and certain of losing them by any the slightest opposition to this injustice; and not a voice was raised against it but mine. Now that the deed is done, there is a hot debate in the Senate upon the question whether Congress had the right to call a Convention of the people of a State, and whether a Convention called and assembled by the people themselves could reverse a decision of a Convention called by the Legislature of the State. All this is too late: the wrong is done. The people of Michigan have not only submitted, but assented to it, and the rapacity of the State of Ohio and the flagrant usurpation of Congress have been legitimated into the law of the land.

3d. The unfinished business was James Garland's resolution, with its appendages of amendments, offered by Harlan and Vanderpoel. Peyton made a cutting speech, arguing the utter uselessness of a mere call upon the Secretary of the Treasury without a committee of strict investigation. Garland at last gave up. He proposed a second resolution, a committee of nine, with power to make a thorough search concerning the agency and agent of the deposit banks, and to send for persons and papers if they should think it necessary; and at my proposition he agreed to strike out this last contingent clause. At the proposal of J. J. McKay, he accepted a third resolution, requiring a return from the Secretary of the Treasury of the amount of public moneys held by each of the deposit banks on the first day of each quarter for the last three years. The three resolutions passed unanimously—that respecting the agent and agency by a call of yeas and nays; but there was not one nay—one hundred and ninety-nine yeas. Seymour, of New York, my next neighbor, before the call had reached his name, told me he would vote against it, so that there might be two sides to the question; but when his name was called, he answered, aye. There were many besides him who voted à contre-cœur.

Here is a blank in the record, extending beyond the remainder of the Twenty-Fourth Congress. This is to be regretted the more that it passes over in silence the memorable attempt to censure Mr. Adams on the 23d of January, in the House of Representatives, consequent upon the presentation by him of twenty-one petitions, some of them purporting to come from slaves. This was the first of his great struggles in that cause. The history of this proceeding was, however, very fully given by himself in another form, printed soon after the close of the session. The pamphlet has the following title: Letters from John Quincy Adams to his Constituents of the Twelfth Congressional District in Massachusetts; to which is added his Speech in Congress delivered February 9th, 1837. Boston, published by Isaac Knapp, No. 25 Cornhill, 1837. The introductory remarks bear the initials of John G. Whittier.

CHAPTER XIX.

THE TWENTY-FIFTH CONGRESS.

APRIL 2d, 1837.—I wrote to Mr. Biddle, and read the printed letter of Gerrit Smith to the Rev. James Smylie, late Stated Clerk of the Presbytery of Mississippi, author of a book in defence of slavery, to which this letter is an answer. I have read scarcely anything upon this controversy, and am quite incompetent to discuss it myself. I come to the conclusion without examining the premises. I have an abhorrence of slavery, but how bad it is no one can imagine without understanding the details. Smylie defends slavery as an institution sanctioned by the Scriptures. The punishment of death was prescribed for a multitude of what we should consider very trivial offences. The theory of the rights of man was then utterly unknown; and Mr. G. Smith shows that the servitude of that time was a milder condition than the slavery of the present age and of this country. This subject of slavery, to my great sorrow and mortification, is absorbing all my faculties.

3d. Morning visit from Leonard Jarvis, who told me that the report of A. Stevenson's having negotiated with the British Government a treaty in which is included indemnity for the slaves taken from the Comet, Encomium, and Enterprise, was premature; that the Government here had no advice of the conclusion of such a treaty. Notwithstanding which, I have no doubt that such a treaty is expected, and think there is a great probability that it will be obtained. A delay of six years in giving an answer to demands arising from the execution of a law is proof satisfactory that there was no good answer to give; and this inability to meet a claim is a demonstration that it must ultimately be admitted.

8th. I read this morning in the manuscripts of Mr. Madison the report of the speech of Alexander Hamilton in the Convention of 1787, upon presenting *his* plan for a Constitution of the United States. The speech occupied a whole day, and was of great ability. The plan was theoretically better than that which was adopted, but energetic, and approaching the British Constitution far closer, and such as the public opinions of that day never would have tolerated. Still less would it be endured by the democratic spirit of the present age—far more democratic than that; for, after half a century of inextinguishable wars between the democracy of the European race and its monarchy and aristocracy, the democracy is yet in the ascendant, and gaining victory after victory over the porcelain of the race. If Hamilton were now living, he would not dare, in an assembly of Americans, even with closed doors, to avow the opinions of this speech, or to present such a plan even as a speculation.

BALTIMORE, 10th.—At half-past nine o'clock this morning, with my nephew, Midshipman John Quincy Adams, I entered the railway-cars, and a quarter before twelve at noon landed at Baltimore. We immediately came to Barnum's Hotel, where I took a bed-chamber. I enquired immediately for the Court-house, and, upon being directed to it, went and found a city Court in session, and Reverdy Johnson arguing a cause. Upon enquiring further, I found the place where the Circuit Court of the United States hold their sessions, but the Court had already adjourned. I then went to the office of the Chronicle newspaper, where they sent for General Leakin, the former editor of the paper; and when he came he gave me a printed slip from the Chronicle of 21st July, 1832, being the article which Reuben M. Whitney charges as libellous, and for which his damages are laid at fifty thousand dollars. The article charges him directly with perjury, founded upon his testimony and the counter-testimony of the officers of the bank before the Committee of Investigation of the House of Representatives, at Philadelphia, in April, 1832.

I enquired if I might expect to be examined and released to-morrow. Mr. Leakin told me he would consult with his counsel, and see me this evening. Returning to Barnum's, I found

Mr. Lloyd N. Rogers there, and he spent half an hour with me in my chamber.

At half-past eight in the evening, Mr. Leakin, with Mr. Gunn, his former partner, Mr. Meredith and Mr. Gwinn, his counsel, came, and I conversed with them on the prospects of the time when the trial will come on. Mr. Meredith said it could not possibly be to-morrow, nor probably any day this week. He said also that the parties on both sides had asked the Court to fix a day for the trial; which the Court had refused. I finally agreed to stay here till to-morrow afternoon, to attend the Court to-morrow morning, when another effort may be made to fix a day for the trial, and, if that should fail, I return to Washington to-morrow evening, and Mr. Meredith will send me notice a day in advance when I must attend again. Mr. Meredith promised to call on me at ten o'clock to-morrow morning.

11th. At ten o'clock Mr. Meredith called, and I went with him to the Circuit Court of the United States, held by Roger B. Taney, now Chief Justice of the United States, and Upton Heath, the District Judge. In the case of Reuben M. Whitney against Leakin and Barnes, the parties were not ready for trial; and, after consultation between the counsel, it was agreed that it should be brought on, if possible, next week, if possible on Monday, but Mr. Meredith thought my testimony would probably not be required before Wednesday. I determined, therefore, to return to Washington this evening.

On leaving the Court-house, I went with Mr. Meredith to his house, where he gave me to read a manuscript copy of a letter from the late Major Henry Lee to a friend of his named Brown, in Virginia, whom he requests to send a copy of it to Mr. John Tyler, then a member of the Senate of the United States from Virginia. Henry Lee, an abandoned and sacrificed character, but a writer of very considerable talent and power, had, in reward for treachery to me, and libels against me, and of sycophancy to the late President, Jackson, been appointed by him during the recess of the Senate Consul-General of the United States at Algiers in 1829. Upon his nomination to the Senate, he had been rejected for profligacy of character, and chiefly by the influence of Mr. Tyler. In the interval he had been at Al-

giers; was there when the city was taken by the French army; and was said to have made a profitable speculation of his official privilege in covering property with the ægis of neutrality. This, however, has been contradicted. On being displaced from his office he went to Paris, and lived there till, in January last, he died; it is said of the "grippe," or influenza. In Paris he pursued the occupation of a man of letters, publishing pamphlets of criticism and controversy, among which one attack upon my eulogy on La Fayette, which he sent to the editor of the New York American, Charles King. King, a man under greater personal obligations to me than any man living, published Lee's lampoon, and then wrote me that the columns of his paper were open to me if I chose to answer *Henry Lee.*

WASHINGTON, 13th. The Rev. Dr. Follen, the German Unitarian clergyman, paid me a morning visit, and I had a long conversation with him upon the Unitarian doctrines, and upon the covenants of the Old and New Testaments, which seem to me to sanction the political principle that by the laws of nature all legitimate government is founded in compact. I asked him if he had considered the influence, first, upon the history of the Jews through the Old and New Testament; next, upon the Christian religion; thirdly, upon the theory of human rights, and the foundations of government, of this primary historical fact. He said he had not, and that it opened to him an entirely new view of the Scriptures. I believe this is the case with many others, and that I should do well to write a dissertation or lyceum lecture upon it. The Scriptures represent man as having at his creation a law prescribed to him by his Creator. He is placed in Eden, there to remain in a happy state of connubial felicity upon one condition. This is not a covenant, but a law. The consent of Adam was not required to this law. There is permission given him to subsist upon the fruit of all the trees excepting one; but no promise is made to him—no covenant contracted with him. He violates the condition imposed upon him, and suffers expulsion from Paradise. There is no mention of a covenant till after the deluge, but immediately after that there is a covenant, express and formal, with Noah. This, however, is of a general

character, and Noah himself, by his curse upon Ham, deprived one-third part of his descendants of the benefit of it. But the covenants with Abraham are the most remarkable, both for their solemnity and for their import. They were covenants of religion and of government. The first was at Sichem—Gen. xii. 7; the second, at Bethel—Gen. xiii. 14; the third and most solemn covenant is related in the fifteenth chapter, with all its particulars, and specially stated in the eighteenth verse; the fourth is related in the seventeenth chapter, when Abraham was ninety-nine years of age, and the covenant was sealed by the rite of circumcision. In the twenty-second chapter, verses seventeen and eighteen, the covenant is again renewed, after the call for the sacrifice of Isaac and its release. In chapter xxvi. v. 2, the covenant is repeated with Isaac. The blessing was afterwards transferred to Jacob, and the covenant renewed with him in the dream at Bethel—ch. xxviii. v. 13, 20, 22; and again, ch. xxxv. v. 10; where his name is changed to Israel; and in ch. xlvi. v. 3, when he is ordered to go down to Egypt. The subsequent covenants were with the whole people, from that of Mount Sinai down to the Babylonian captivity; and then came the new covenant of the gospel of Christ —all this to be elucidated.

There was a gathering this morning of perhaps a hundred laborers in the front yard of the President's house. It was said their object was to remonstrate against working more than ten hours a day. It was said the President sent them word that he could not parley with them so long as they should present themselves in that manner.

15th. In the library, I took up the second volume of Matthias's edition of Gray's Works, and wandered over it till the clock struck three and warned me to depart. I found in it the analysis of the writings of Plato, which I had no time to examine, but which I hope to find time to look into hereafter. I read some of his letters to his mother, to his father, and to his friend West, and mused over that affecting incident, that Gray's Ode to Spring was sent by him when first written in a letter to West, who died just before he should have received it. I have literary tastes peculiar to myself, and the correctness of

which I distrust, because they differ from the general voice. There is no lyric poet of ancient or modern times who so deeply affects my feelings as Gray. Every one of his odes is to me an inestimable jewel, and nothing in all Dr. Johnson's writings is so disgusting to me as his criticisms upon them. The Progress of Poesy and the Bard are the first and second odes that ever were written; Dryden's Alexander's Feast, Horace's Carmen Sæculare, and Collins's Passions, pari passu, come after; Pindar's Pythics are admirable, and Anacreon is charming as a songster; but the Progress of Poesy is the point of the pyramid—the first of odes—as the Church-yard is the first of elegies. Yet I have read scarcely anything of Gray except the very small collection of his poems; and these two thick quartos of his works are almost all new to me. Why is it that I must reproach myself for an hour given to them as wasted time?

19th. I answered a letter from John G. Whittier, inviting me, on the part of the Managers of the Massachusetts Anti-Slavery Society, to attend the meeting of the New England Anti-Slavery Convention at Boston, to be held on the last Tuesday of May. I have not absolutely declined to attend, but have assigned reasons for not attending, which will probably be decisive to my own mind. Upon this subject of anti-slavery my principles and my position make it necessary for me to be more circumspect in my conduct than belongs to my nature. I have, therefore, already committed indiscretions, of which all the political parties avail themselves to proscribe me in the public opinion. The most insignificant error of conduct in me at this time would be my irredeemable ruin in this world, and both the ruling political parties are watching with intense anxiety for some overt act by me to set the whole pack of their hireling presses upon me.

It is also to be considered that at this time the most dangerous of all the subjects for public contention is the slavery question. In the South, it is a perpetual agony of conscious guilt and terror attempting to disguise itself under sophistical argumentation and braggart menaces. In the North, the people favor the whites and fear the blacks of the South. The poli-

ticians court the South because they want their votes. The abolitionists are gathering themselves into societies, increasing their numbers, and in zeal they kindle the opposition against themselves into a flame; and the passions of the populace are all engaged against them. The exposure through which I passed at the late session of Congress was greater than I could have imagined possible; and, having escaped from that fiery furnace, it behooves me well to consider my ways before I put myself in the way of being cast into it again.

On the other hand, may God preserve me from the craven spirit of shrinking from danger in the discharge of my duty! Between these two errors let me pursue the path of rectitude unmoved, and put my trust in God.

23d. Read some pages of Mr. Madison's report of the speeches in the Federal Convention of 1787. I was remarkably struck with the proposition and speech of Dr. Franklin on the 28th of June. They had been debating then nearly two months, and appeared to approach no result. The perpetually-recurring jealousy was between the large and the small States. The nineteen resolutions proposed by Edmund Randolph had formed the text of all the discussion; they were the germ of the Constitution as finally adopted. Then came the plan of Mr. Patterson, of New Jersey, which was to retain the old Confederation and Congress, with some additional powers. This was the plan of the small States. Then the plan of Hamilton, with a President and Senate during good behavior, a negative upon State laws, and the Governors of the States appointed by the national Executive.

The manner in which Hamilton introduced his plan was indirect and hesitating—the characteristics of his mind and conduct. He expressly stated that he did not offer it as a subject for deliberation, but merely to convey his ideas of what was the best government for this country. Yet he supported it by a speech which occupied a whole day, and he explicitly declared that neither the plan founded upon Edmund Randolph's resolutions nor the plan of Mr. Patterson was satisfactory to him.

Afterwards came Luther Martin, who made a speech of a

day and a half to maintain the sovereignty of the States, and against proportional representation, and against a Legislature in two branches. The proportional representation was, after long and obstinate resistance, carried for one branch. It was contended for with equal tenacity in the other, when Dr. Franklin moved that they should have prayers performed every morning, calling upon the clergymen of the several churches of the city in turn.

It was a singular proposition to be made after the Convention had been sitting nearly two months; and the Doctor's speech was still more remarkable. He was then upwards of eighty years of age, and he died within three years after. In this speech he declared, with great solemnity, his belief that God governs in the affairs of men. At an earlier period of his life he had certainly been a sceptic. His motion was seconded by Roger Sherman, but was opposed by Hamilton and others, and finally evaded by an adjournment. It had perhaps a good effect, as an admonition of mutual concessions and conciliation to all the members.

25th. Walked to the Capitol, and visited the library of Congress. I examined the second volume of Gales and Seaton's collection of American State papers on their foreign relations. I found among them many valuable public documents which I had not before seen, or had very slightly perused—among the rest, several memoirs of Robert R. Livingston, addressed to Napoleon, dissuading him from the settlement of his colony in Louisiana, and then to cede it to the United States. It seems as if there was something providential in the turn of all those transactions. The Spanish monarchy was an old, worn-out, rotten Government, dropping to pieces by the weight of its own corruptions—Napoleon shaking it almost to atoms, first by war, then stripping it of its European possessions, encroaching upon it over the Pyrenees to the Ebro; forcing its pusillanimous Bourbons to abdicate, and the father and mother, with her despicable paramour, Godoy, to go and die in ignominious obscurity at Rome, and the son Ferdinand—âme lâche et pusillanime, as General Pardo characterized him to me—to abdicate and pine in prison at Bayonne.

In the preliminary steps to all this process, because Louisiana had once been a French colony, Napoleon undertakes to recover it, and to settle there a *military* colony of his veteran soldiers—having a triangular view for futurity upon Mexico, upon Canada and the British northern Colonies, and upon the United States. R. R. Livingston was then Minister from the United States at his Court, and ingratiated himself by falling in without scruple into the ultra-royal etiquette of the Imperial upstart; and, coming from the stern Republican Government of the United States, this species of adulation was more flattering than it could be from the representatives of monarchs. Mr. Livingston thus obtained access to the ear of Napoleon, who received and read his papers. They had no effect until the war with Great Britain came on; but then they found the mind prepared for the reception of argument, and when the war was once resolved on, Louisiana became a burden, which it was the clear interest of France to get rid of as soon as possible, and upon as good terms as she could obtain. The finger of Heaven appears in all this; and when we think of Mr. Jay's proposing, in 1786, to renounce the navigation of the Mississippi for twenty-five years, and, in 1794, negotiating for the delivery of the posts on the Canadian Lakes, and observe the condition of things now, when the city of Mexico can scarcely be kept out of our clutches, we can but contemplate with wonder the ways of God to man. But upon looking at our two frontiers, north and south, it is no pleasing consideration to find that while our boundary has been constantly advancing on the south it has been receding at the north.

26th. Began with an attempt to assort and file my papers, which have been accumulating during the late session of Congress, but soon found the morning wasted and little advance made in my assortment. I found, however, a small file of letters from my father to Arthur Lee, from 1778 to 1786, with one from Mr. Lee to him, without date or signature, but written in 1788, immediately after his return from Europe, which were given to me by the younger Richard Henry Lee in 1827 and 1828. I now read them all, and they took me back a full half-century and more, even to the days of my

boyhood. The letters, written at different times, mark each the feelings and the interests of a different epoch. The first, written in October, 1778, contains a proposition to employ William Temple Franklin as Secretary to the joint Commission; and another, that Mr. Lee, who resided at Chaillot, should come and reside at the same house of Le Ray de Chaumont, where Dr. Franklin and my father lived, for the convenience of holding their conferences with an improved economy of time and expense. The next is of 24th March, 1779, at Brest, when my father was about to return to the United States. I was then reading Don Quichotte de la Manche in the cabin of the frigate Alliance, or walking the streets of Brest with Captain Landais. Then a letter of 9th June, 1779, from L'Orient; next three letters from Paris, dated 15th and 31st March, 1780, in the handwriting of John Thaxter, and one of 25th May, all directed to Mr. Lee at L'Orient, where he was waiting for a passage in the frigate Alliance to the United States. Then a letter from the Hague, 29th August, 1782, to Mr. Lee, then in Congress at Philadelphia; one from Paris, 12th April, 1783, between the preliminary articles and the definitive Treaty of peace; one of 6th April, 1784, from the Hague; one of 31st January, 1785, from Auteuil; and one of 6th September, 1785, from Grosvenor Square, Westminster. The letter from Arthur Lee to him is of 8th August, 1788, without date of place, and unsigned; no doubt a copy. It acknowledges the receipt of a letter from my father announcing his return to his home at Braintree.

This series of letters marks all the changes of my father's residence from the time of his first mission to France till his last return from Europe home. I selected the letter of 24th March, 1779, written at Brest, to send as an autograph to Lewis J. Cist, at Cincinnati, Ohio, taking first a copy of it for preservation. There is a character of romantic wildness about the memory of my travels in Europe from 1778 to 1785, which gives to it a tinge as if it was the recollection of something in another world. Life was new, everything was surprising, everything carried with it a deep interest. It is almost surprising to me now that I escaped from the fascination of Eu-

rope's attractions, and that Voltaire's affecting line, "Plus je vis d'étrangers, plus j'aimai ma patrie," was always true to the letter with me. My return home in 1785 from Auteuil, leaving my father when he was going upon his mission to England, decided the fate and fortunes of my after-life. It was my own choice, and the most judicious choice that I ever made. My short discipline of fifteen months at Harvard University was the introduction to all the prosperity that has ever befallen me, and perhaps saved me from early ruin.

27th. I have cleared off the arrears of my correspondence, with the exception of several letters from strangers asking for autographs—a recent fashion, like that of keeping albums. The album is, I believe, a German invention, never introduced till of late years into this country, and now perverted by its multiplication and its degeneracy into a mere catalogue of insignificant names. Those in which sentiments are added are records of human imbecility, bushels of chaff without the two grains of wheat. Ashamed to write my bare name in answer to a request for an autograph, I have usually added a few lines of rhyme, without reason. Casting about for a thought two days ago, I looked into Horace, and fell upon the sixth ode of the third book, Ad Romanos. I took the thought of the first lines, modernized it, localized it, and paraphrased it, till I turned it into an ode as long as the original, but so little like it that no one would ever recognize it. This day I finished it, and call it a Prophecy addressed to the Sons of the Pilgrims—a poor thing, and not fit even for an autograph or an album. This has happened to me five or six times. I angle for a thought, and, after four or five nibbles, catch one, and when the line brings it up, it turns out to be a sculpin for a mackerel or a cod. My prophecy is upon a grave and solemn subject.

May 1st. We had morning visits from Captain Wadsworth, of the United States navy, and Mrs. Wadsworth. He has just returned in the frigate Brandywine from the station in the Pacific; sailed from Callao in January, and arrived after a passage of ninety-four days at Norfolk. I made some enquiries of him concerning the present condition of Peru. Our public journals take little more notice of the affairs of South America than of

the interior of China. Captain Wadsworth says that Santa Cruz, formerly President of Upper Peru, or Bolivia, was, when he left Lima, President of Peru, with dictatorial powers; that Bolivia is now united with Peru, which consists of three divisions—North and South Peru and Bolivia; that the Government "de facto" is a military despotism, but that they have a Congress, and continue to be occupied in making Constitutions, of which they have had three or four since he went upon that station. At his departure they were on the point of war, which has since been declared against Chili—a country much more tranquil and more prosperous. But, in truth, there seems to be no cement in these new independent States formed out of Spanish Colonies. After the North American Revolution we had only five or six years of languor and imbecility and approximations to civil war. None such occurred between the States, but there was a serious insurrection in Massachusetts. Within seven years from the preliminary articles of peace with Great Britain the Constitution of the United States had been constructed and adopted, and was in full operation. The Twenty-fifth Congress under that Constitution has commenced, and the close of that Congress will be the jubilee of the Constitution. One-half century has passed over the heads of this people with scarcely enough internal dissension to create a convulsion; without secession of one State from the Union; with only two light insurrections within the first ten years, rather reasoned down than subdued by force; with a short war with Great Britain and a quasi war with France. In that time the number of the States has doubled; the population more than quadrupled; the extent of territory more than doubled; the wealth more than tenfold; and justice, the great object for which Governments are instituted among men, has been administered, however imperfectly, with more approach to perfection than in any other country upon earth. This is an excellent subject for that discourse which I have conditionally promised to deliver before the American Historical Society of Military and Naval Events, at New York, next November, and about which I ought very soon to set to work.

4th. For the last two months there have been a succession

of enormous failures in New Orleans and New York, extending to Philadelphia, Boston, and partially to other cities. The blowing-up has been the most extensive in New York, where, after various other abortive expedients, a great Whig meeting was held, and a committee of fifty persons appointed to come to Washington to remonstrate with him (the President) against the Administration, and to demand—1, that he should rescind the Treasury circular forbidding the Western land offices to receive anything but gold and silver in payment for the public lands; 2, that he would order a suspension of the collection of the custom-house bonds till next January; 3, that he would convoke Congress at an early day. A sub-committee of fifteen members are said to have been here yesterday and this day. At their first interview with President Van Buren he required that whatever proposition they had to offer should be made in writing. This was accordingly done, and the general rumor is that the answer was negative upon all the demands.

6th. Before leaving the city I thought it a decent mark of courtesy to visit Mr. Van Buren at the President's house. I went accordingly, and was received by him in his cabinet alone. I had not before set my foot in the house since I left it on the evening of the 3d of March, 1829. The conversation with Mr. Van Buren was upon subjects of a general nature, and not at all upon the public affairs of the country—upon the inconvenience of a summer residence in this city, and on my custom heretofore, when under that necessity, of bathing and swimming every morning in the Potomac; then upon the general state of European politics. He spoke of unfriendly relations existing between Great Britain and Russia, and between Russia and Prussia; of the character of the Crown Prince of Prussia as violent, and of his reputation as unpopular; of dissensions between the present King of England, William the Fourth, and the Duchess of Kent, mother of the Princess Victoria, presumptive heiress to the Crown, and coming of age on the 24th of this month.

QUINCY, *June* 1st.—[Five names in margin.] These gentlemen came as a committee of the delegation in the House of Representatives of the Commonwealth from the towns com-

posing the Twelfth Congressional District of Massachusetts. Mr. Thayer, on their part, read to me an address, and left it with me, expressing their approbation of my conduct as their Representative in Congress, especially at the last session, and presented me a cane made of the timber of the frigate Constitution. I answered Mr. Thayer's address orally, and accepted the cane as a token of their esteem, the article not being of sufficient pecuniary value to be declined upon a general principle. Mr. Thayer made on his account a second address, which I also answered.

July 3d, *Monday.* At ten o'clock this morning I left home with my son Charles, and rode with him to Boston in his chaise. At half-past one there came to his office in Court Street a stage and four horses, in which we went without other passengers to Newburyport, through Salem and Ipswich. Charles had engaged for us two seats in the ordinary stage, but the committee of arrangements for the inhabitants of Newburyport had given orders for this extra stage to take us by ourselves. Reaching Ipswich just after five o'clock, we found there Mr. Caleb Cushing, with Mr. De Ford and Mr. Bradbury, members of the committee of arrangements, in readiness with a coach-and-four to take me on the remnant of the way. Mr. Cushing gave me notice that we should meet an escort in Newbury old town, and be accompanied by a procession thence to Newburyport. This accordingly happened. We alighted at Newbury old town, where were assembled a numerous company of old and young persons, and a cavalcade of young men for an escort. Mr. De Ford, the chairman of the committee of arrangements, here made a short address to me, which I answered; after which, preceded by the cavalcade, we went on in procession to Mr. Cushing's house at Newburyport.

4th. I delivered an oration before the inhabitants of the town of Newburyport, at their request, on the anniversary of our national independence.

From the time of my arrival in the town last evening, chaos is the only word to express what I have seen and felt. Mr. Cushing lives with his father and mother, but they did not make their appearance. His sister did the honors of the tea-

and breakfast-table. Mr. Wilde, a son of Judge Wilde, of the Supreme Court of the State, with his wife and a son five or six years old, and Mrs. Doane, a daughter of Judge Wilde's, came in from Boston last evening, and lodge here. Mr. Cushing is a widower, without children, and his wife was a daughter of Judge Wilde. The firing of guns began at midnight, and continued all night, together with squibs and crackers, almost without intermission.

At nine this morning Colonel Coleman came, and took me in a chaise down into Water Street, where I found Mr. Cushing standing upon a platform and delivering an address to the eminent members of the fire department, drawn up in a line in front of him. He very soon concluded, and, descending from the platform, introduced me to them. Walked in procession with them to a building belonging to them, where there was a table served with a cold collation. I gave them a toast in lemonade: "The Fire Department of Newburyport—always prepared for duty, may they never be needed to perform it!"

I then returned to Mr. Cushing's, and shortly proceeded to join the procession formed in High Street. I walked between Mr. Thomas B. Fox, colleague of Dr. John Andrews, the minister of the First Congregational Church, and Mr. Robert Cross, the reader of the Declaration of Independence. The procession was very large, and with it were several hundreds of children of the public schools, male and female. The march and countermarch, traversing many of the streets of the town, took a long hour. The meeting-house is some way westward of the market-square, where it was when I resided at Newburyport. It was crowded with auditors as full as it could hold; hundreds could not obtain admission. There was music, instrumental and vocal; four stanzas of R. T. Paine's song of Adams and Liberty were sung; prayer by Rev. Thomas B. Fox; then an anthem; next the Declaration of Independence was read by Mr. Robert Cross, of Amesbury; the 194th hymn of Dr. Belknap's collection: "O'er mountain tops the mount of God in latter days shall rise." This was performed at my request, and immediately preceded the delivery of my oration, which occupied an hour and a half—listened to with deep attention and occa-

sional applause. The Hallelujah Chorus, Anthem Chorus, and the Benediction Chorus closed the performances, at half-past two o'clock.

As I descended the pulpit, in a small room adjoining the church, an old lady came to me and shook hands with me, saying she was now satisfied that I was a Christian, of which she had entertained doubts. I then returned to Mr. Cushing's house, and dined with a company of twelve gentlemen, entertained by Mr. Cushing, consisting of the members of the committee of arrangements, Mr. Fox, the officiating clergyman, and others, among whom a Mr. Stearns. From four to seven in the afternoon there came a numerous succession of visitors, whom Mr. Cushing introduced to me. Among them were Mr. Morse, the minister of the Episcopal Church here, who married the widow of Dudley Atkins Tyng—his second wife sister of the first, and both daughters of Stephen Higginson, of Boston; also Mr. Edward Adams, now a member of the Senate of the Commonwealth from the county of Essex, who made some genealogical enquiries. Afterwards, the Rev. Dr. Andrews came and sat about an hour with me. His wife, whom I saw when I passed through the town in September, 1832, died about two months since, and in his professional labors he is superseded by his colleague, Mr. Fox. Dr. Andrews reminded me that I had first introduced him as a preacher at Newburyport, and travelled with him from Judge Dana's house at Cambridge. About nine in the evening I went to the soirée or party at the Town Hall, where a number of ladies and gentlemen were introduced to me. I took a seat between two young women, one of whom asked me if I knew Mr. William Bartlett. I said, "Yes, surely." She said, "He is my grandfather, and in his ninetieth year." Closed the evening by going with Mr. Cushing and Mr. De Ford on the Mall, where there were fireworks. Passed by T. Parsons's house. The office taken away.

5th. Quiet night's rest. Mr. Caleb Cushing's father is an old sea-captain, and told me he was one of those who wintered at Cronstadt in 1809, and, on returning in the summer of 1810, was captured by Danish privateers for sailing under an English convoy. Yesterday, a Captain Stone spoke to me, who was

master of one of the American vessels that we found at Christiansand in September, 1809. He said he was commander of the boat in which we were rowed up from the ship Horace to Mr. Isaacson's. This morning a Mr. Smith, from Dover, New Hampshire, came, and sat with me half an hour. He said he had removed from Newburyport to Dover in January, 1787, and had ever since lived at Dover. He came now merely from curiosity to see me. Mr. De Ford called twice, and spoke about the printing of my oration yesterday delivered, and of which, he said, they should request a copy for the press; but, as I might perhaps wish to take a copyright of it, they thought of leaving the printing to be done by my own direction.

I said that if the inhabitants of that town felt any interest in having it printed here, I should conform entirely to their wishes; but otherwise I should be glad to have it done under my immediate revision; that I had never taken out a copyright for any discourse delivered in public, and should take none now, but should only bespeak a number of copies to give away.

Mr. Cushing asked me also to write out for the press my answer to the address of Mr. De Ford on the green at Newbury, as his address had been requested for publication.

After breakfast we took leave of Mr. Cushing, and at a quarter before nine left Newburyport, my son and myself, in an extra stage and four horses, provided by the committee of arrangements, and in which we returned through Ipswich, Beverly, and Salem to Boston, where, crossing in the Winnisimmet steam ferry-boat, we arrived just after one P.M. We reached home shortly after five P.M., with the grateful feeling, on my part, of having passed through another fiery ordeal unscathed.

7th. I have received a letter from Mr. Robert Gilmer, of Baltimore, consulting me concerning the inscriptions for a monument to Washington erected by the State of Maryland—the funds raised by lottery. I answered this letter, and proposed an abridgment of about two-thirds of the words in almost every one of their inscriptions.

29th. On Wednesday last there was a meeting at Dorchester, at which an Anti-Texas Convention of delegates from all the

towns in the Twelfth Congressional District was proposed to be held at Quincy, before the meeting of Congress, and a resolution was adopted inviting me to attend the meeting. Joseph Richards, of Braintree, John A. Green, of Quincy, and H. W. Blanchard, of Dorchester, were appointed a committee to designate the day and hour for the Convention. Mr. Green consulted me about the day, wishing to give as long a notice as might conveniently be given; and I advised Wednesday, the 23d, or Thursday, the 24th, of August.

I received this morning, from Alexander H. Everett, a Norfolk Argus, extra, containing his speech at the meeting on Bunker Hill on the 4th of this month, which I read not without mortification. This meeting was gotten up at the instigation of Amos Kendall, the Postmaster-General, to pass anti-bank resolutions and sustain the present Administration. A. H. Everett has passed from one extreme of party devotion to another extreme of the opposite party, and his character is between the upper and the nether millstone.

A.H.E.

QUINCY, *August* 11th.—Mr. Green, publisher of the Quincy Patriot, brought me an abusive article published in the Boston Sentinel of last Wednesday, addressed to me, and which, he said, he had been requested to republish, but was unwilling to do it on account of its gross personalities; and it consists of nothing else. I read the article, and advised him to say in his paper of to-morrow that he had been requested to republish that article, and would publish it if the author of the letter would give his name. He said there was another person, a Mr. Goodrich, who told him that he intended to reply to my letter to William Foster. This is the author of the Peter Parley school-books.

23d. The District Convention of delegates from the towns of the Twelfth Congressional District of Massachusetts convened to pass resolutions approving of my conduct at the last session of Congress, in the discussions upon the right of petition and against the annexation of Texas to the United States, was held this day at the Town Hall. They met at nine o'clock this morning, all the towns of the district being represented but three, Hull, Milton, and . They passed unani-

mously certain resolutions against the resolutions of the late House of Representatives of the 18th of January last, and approving, in terms of the warmest commendation, my course in the House at the last session, not only for the substance, but for the manner; also a resolution to appoint a committee of correspondence, and two resolutions assigning reasons against the annexation of Texas to the United States. They then adjourned from one to half-past two o'clock, after appointing a committee of five to communicate the adopted resolutions to me, and to request my attendance at the adjournment of their meeting in the afternoon. Mr. Thomas Greenleaf, who presided at the meeting, called on me, and gave me notice that the committee were coming. They came at two o'clock, and delivered to me a copy of the resolutions; for which I desired them to return my thanks, and to say that, in compliance with their invitation, I would attend the meeting at three o'clock; which I accordingly did.

I went alone. The committee met me at the door of the hall, and the President presented me to the meeting. I addressed them for about an hour and a half on their resolutions. I was frequently interrupted by cheering applause, and, although my speech was far below mediocrity, it was very favorably received. Mr. May then moved that some poetical lines which he had read, written by Mr. Pierpont, of Boston, should be published with the proceedings of the meeting; which was agreed to without opposition. The meeting was then dissolved, and notice was given that at half-past seven o'clock this evening the Rev. Samuel J. May would deliver a lecture on the right of petition. A number of copies of the pamphlet edition of my letters to the inhabitants of the Twelfth Congressional District were gratuitously distributed. Mr. Harvey Field introduced to me Deacon Sullivan, of Germantown, and Mr. H. B. Stanton, who said he wished to have some conversation with me, and whom I told I would see him, if it should suit his convenience, at my house the day after to-morrow.

26th. I received this day a letter from Mr. Nicholas Biddle, cordially inviting me to his house on my way to Washington, and alluding delicately to a passage of my letter to William

Foster, lately published, which has maliciously been applied as a severe reflection upon him. This paragraph has excited inextinguishable wrath in all the Presidents and Directors of the banks throughout the Union.

29th. In Boston, I was going to call on Dr. George Parkman, when I met Mr. Abbott Lawrence in the street, and he took me with him to his house, where I had with him a conversation of nearly two hours. He has just returned from an excursion to New York and Philadelphia. Three of the deposit banks at New York have issued a circular inviting a convention of all the banks, to consult about a simultaneous resumption of specie payments. Mr. Lawrence told me that neither the Philadelphia nor the Boston banks would comply with the invitation of the New York banks. He also told me that Mr. Nicholas Biddle was under the impression, which he did not share, that the Executive Government of the United States would be compelled, and were already disposed, to return to the Bank of the United States for the collection and disbursement of the revenue.

PHILADELPHIA, *September* 1st.—After breakfast I was going to Mr. Biddle's, when I met Mr. John Sergeant, who told me he had concluded to go on by the steamboat at one o'clock this afternoon, to reach Baltimore this evening and Washington to-morrow morning. He had heard that Charles J. Ingersoll had authenticated a protest against the return of his competitor, Mr. Naylor, and had perhaps done it to prevent Naylor's voting upon the election of the Speaker. He (Sergeant) must therefore hasten to Washington, to look to the possibility of unfair practices, and counteract them. I found Mr. Biddle in bed, much flushed, and with a feverish hand, but relieved from the violence of the attack, which was an inflammation of the kidneys, free from pain, and cheerful and good-humored, as is his habitual character. He made me promise to dine and pass the night at his house, and sent for a few friends to come and dine with me.

I had a long conversation with him upon the affairs of the banks, banking, and the currency, but found him fully convinced that the resumption of specie payments by the banks

will, for an indefinite period of time, be impracticable. He thinks the recent proposal of the deposit banks in New York, for a convention of delegates from banks throughout the Union to determine upon a time for the simultaneous return to cash payments, was a mere stratagem to procure the restoration to them of the public deposits; that they well knew when they made the proposal that cash payments could not be resumed till the foreign debt shall be paid, and made the proposal to plume themselves upon it and gain credit for the performance, under the delusion of a false promise. He said James Hamilton, of Charleston, South Carolina, who first proposed in a letter to him this convention of banks, had been here, and was now in New York; that he had warmly urged this measure upon him, but that he had told Hamilton that so sure as the attempt to resume should be made, so sure it would prove a fallacy and an abortion. It could not be maintained a week. He told me that the Bank of the United States had now eleven hundred thousand dollars of the money to be paid by them to the Treasury of the United States in October, for the first instalment of the stock owned by the United States in the late bank, in Treasury drafts, and that he expected, when the time of payment should come, to have the whole sum in the same paper currency, so that the bank will pay the whole instalment without disbursing a hard dollar.

After this conversation I went to the Bank of the United States, and presented to Mr. Jaudon, the Cashier, eight hundred and fifty dollars in the bills both of the old and of the new bank, for which I asked payment by an order on Washington. He gave me an order on Richard Smith, Cashier of the late branch, and now agent of the bank there, payable in current bills. I took it without remark, for in my judgment upon the proceedings of the Bank of the United States I wish to avoid mingling any possible private interest of my own, but the adroitness with which this order changed the nature of my demand upon the bank could not escape my observation. I brought to Mr. Jaudon bills payable, on demand, in cash. He gave me an order payable in current bills, depreciated from eight to twelve per cent.

I then went to the Anti-Slavery office, 223 Arch Street; thence to Samuel Webb's house, and afterwards to Benjamin Lundy's office. I saw and had long conversations with them both, and with two or three others whom I found with them, of whom was Mr. Buffum, who told me he was a hatter. Lundy returned with me to my lodgings. He and the abolitionists generally are constantly urging me to indiscreet movements, which would ruin me and weaken and not strengthen their cause. My own family, on the other hand—that is, my wife and son and Mary—exercise all the influence they possess to restrain and divert me from all connection with the abolitionists and with their cause. Between these adverse impulses my mind is agitated almost to distraction. The public mind in my own district and State is convulsed between the slavery and abolition questions, and I walk on the edge of a precipice in every step that I take.

WASHINGTON, 3d.—After church I walked up to the Capitol, and took my seat in the House of Representatives—the same that I occupied in the Twenty-Third and Twenty-Fourth Congresses. It is, if not the best, one of the best seats in the House. My name was upon it; and, although not taken in person, no member had exercised the privilege of having it effaced and substituting his own in its stead.

4th. The first session of the Twenty-Fifth Congress commenced this day. I attended at the Capitol half an hour before the usual time of meeting, which was spent in mutual gratulations and greetings with the old members returned anew and with introductions of new members. At noon precisely, Walter S. Franklin, the Clerk of the last House of Representatives, called the meeting to order, and read over a roll of the members by States, which he had gathered from the newspapers. When he reached the State of Mississippi, Charles F. Mercer, of Virginia, objected to their admission to vote for Speaker, and offered a resolution that Samuel H. Gholson and John F. H. Claiborne had not produced satisfactory evidence of their election as members of the House; upon which an acrimonious debate of two hours arose, which terminated in laying Mercer's resolution on the table. Gholson and Claiborne were elected in the face of the Constitution of the United States for this single

session—that is, until superseded by an election to be held next November; which was admitted and avowed by Gholson and Claiborne, but they bullied the meeting into an admission of them to vote by threatening to call for the certificates of election of every person present, not one in five of whom, perhaps not one in ten, had his certificate with him; an exceedingly irregular practice having within a few years crept in of requiring no certificates of election from the members, but swearing them in upon mere newspaper report.

I took no part in this debate, though I had my certificate with me, and was satisfied that the Mississippi election was null and void. Still, the men from Mississippi had been elected by a large majority of the people of the State, who, in the event of their exclusion from the House, would be unrepresented the whole of the present session. I was, therefore, content to waive the constitutional illegality and let them in.

Two hundred and twenty-four members answered to the call of their names. The votes for Speaker were: for James K. Polk, of Tennessee, one hundred and sixteen; for John Bell, of Tennessee, one hundred and three, and five scattering; so Polk was elected by a majority of eight votes. At the last Congress he had a majority of forty-eight.

I voted for Bell; my neighbor, John M. Patton, voted for Joseph W. Jones, of Virginia. Polk, on being conducted by Governor Lincoln, and Owens, of Georgia, to the chair, made a clumsy address to the House, in which he said it would be impossible for him to keep order unless supported by the House —which was true enough as an appeal to the party majority; but he promised impartiality, which if he does practise at all, will be only between the two sides of his own party.

5th. H. R. U. S. James Garland reported that the joint committee had waited upon the President of the United States, who had informed them that he would this day, at noon, communicate to the two Houses a message in writing. The message was accordingly delivered immediately after, by the President's son, Abraham Van Buren. It occupied an hour and a half in the reading, and was confined exclusively to the subject of the currency and the condition of the revenue.

Hamer, of Ohio, moved that ten thousand copies should be printed; Owens, of Georgia, moved for twenty thousand. Whittlesey, of Ohio, objected to twenty, and made a speech. He was not answered, but Hamer had accepted Owen's increased number, and, upon taking the question by yeas and nays, it was carried—one hundred and fifteen to one hundred and nine. The report of the Secretary of the Treasury upon the finances was then received. Connor, of North Carolina, moved that twenty thousand copies of that should also be printed; another member moved ten thousand; and that was carried, by a vote of one hundred and six to one hundred and one.

These two votes disclose the fluctuation of the Administration majority in the House.

8th. Dr. Kraitsir and Mr. Zerrlaut called again, and gave me further particulars of their intended academical school at Ellicott's Mills, near Baltimore. Their main object was to obtain my permission to refer enquiries to me for their characters; to which I readily consented, believing them to be respectable and intelligent, as certainly, in the predicament of Polish exiles, they are very unfortunate men.

While they were here, a young man by the name and style of the Rev. Charles Lester, and a young woman of the Society of Friends, named Mary L. Cox, came in. Mr. Lester introduced himself as a clergyman and a grandson of the celebrated Dr. Jonathan Edwards. He introduced also the young woman. Dr. Kraitsir and Mr. Zerrlaut withdrew. The young woman brought a letter from Benjamin Lundy, who had told me that she was desirous to see me. She said she had a spiritual impulse that it was her duty to address a discourse to me, if I had no objection to hearing her. I said I should, on the contrary, be greatly obliged to her. She then began a regular Quaker sermon of about a quarter of an hour, exactly such as I had heard before from Harriet Livermore, Elizabeth Lambert, and Elizabeth Fry. Their sermons consist of extracts from the mystical and minatory passages in the writings of the Apostles, especially of Paul, strung together by a few words of incessant application, delivered in a half-way tone between speaking and chanting, or what the French call unction. She appeared to

be deeply affected, with great modesty in her manner, and an intense conviction of the importance of what she said—a cento of commonplaces from the Epistles of the New Testament. The discourse was altogether hortatory to me, and prayerful that I may be sustained and fortified by Divine assistance and support.

Conscious of needing it as I am, I could not but receive with profound sensibility these exhortations and prayers. I thanked her cordially for them, and assured her that I should be encouraged by them to persevere in the course that I had hitherto pursued; and I requested her to continue to me the benefit of her prayers.

Mr. Lester told me that he was a Presbyterian, and asked me whether I was a member of any church. I told him I was, and had for nearly eleven years been a member of the Congregational Church at Quincy, the same of which my father and his ancestors have been members from the first formation of the church in 1639.

Mr. Lester took a minute of the names of my ancestors up to the first Henry Adams. He invited me to take a seat in the carriage in which he was going to the Capitol; which I did. Mary L. Cox alighted at her lodgings in Pennsylvania Avenue. He then told me that she was wholly a stranger to him. They had met at the same lodgings, and he had accompanied her to my house as a matter of courtesy. She appeared desirous of obtaining the use of the hall of the House of Representatives to preach in next Sunday, and asked me to speak for her to Mr. Potts, to make the request; which I promised.

9th. I called at the President's house, and spent half an hour in conversation with him respecting the weather, the climate, and Queen Victoria, the girl of eighteen, sovereign of all the British dominions—"Youth at the prow, and Pleasure at the helm." I had been told that in these troublous times Mr. Van Buren was so deeply affected by them that he looked extremely wretched; but I found no such thing. He had every appearance of composure and tranquillity. He spoke, indeed, of the cares and afflictions of the station which he now occupies, and said it was surprising how universal the delusion was that any

one could be happy in it; and he spoke of the calm, philosophical spirit of Dr. Franklin, and of Mr. Madison, who, he said, had expressed to him a very high esteem for me.

There are many features in the character of Mr. Van Buren strongly resembling that of Mr. Madison—his calmness, his gentleness of manner, his discretion, his easy and conciliatory temper. But Madison had none of his obsequiousness, his sycophancy, his profound dissimulation and duplicity. In the last of these he much more resembles Jefferson, though with very little of his genius. The most disgusting part of his character, his fawning servility, belonged neither to Jefferson nor to Madison.

10th. Evening visit from Mr. Stephen C. Phillips. He told me that there had been a meeting of a small number of the members of the party now calling themselves Whigs, in which it was agreed that they should oppose the passage of the bill to postpone the payment of the fourth instalment of the deposit with the States, payable on the 1st of October next, and amounting to upwards of nine millions of dollars. The bill has been reported in both Houses of Congress, and will probably pass in both; undoubtedly in the Senate.

I told Mr. Phillips I was sorry they had agreed to oppose it, for it was indispensably necessary, and, unless the payment should be postponed, the money must be raised by a loan, saddling ten millions more of debt upon the people.

He said Mr. Clay had urged it upon the meeting. Mr. Clay was in so great a hurry that he took ground of opposition the very first moment after the reading of the President's message. Neither of the Senators from Massachusetts, Webster or Davis, is here.

I said to Mr. Phillips that the Whigs must be exceedingly cautious in determining what they should oppose, or they would have the popular feeling turned against them, and play into the hands of the Administration.

11th. At the House, Crary, of Michigan, Yell, of Arkansas, Lewis, of Alabama, and Cheatham, of Tennessee, were sworn and took their seats. The standing committees were announced. Cambreleng, Chairman of the Ways and Means, Smith, of the

Committee of Commerce, Howard, of the Foreign Affairs, and Thomas, of the Judiciary—all rank Van Burenites. I am still Chairman of the Committee of Manufactures, which has this session nothing to do. Buchanan, of Pennsylvania, a new member, is Chairman of the Committee of Elections; three others of the members are new; a majority slave-holders, and a majority, though not the same persons, Administration men. To make sure work of the Committee of Foreign Affairs, Hamer, of Ohio, is placed next to Howard, and, in the event of his removal, becomes by the usage Chairman of the committee. There are six slave-holders upon the Committee upon the District of Columbia, with Bouldin, of Virginia, at their head. The party drill on both points, of slavery and Administration, is complete.

Richard Biddle's call upon the Secretary of the Treasury to explain why he pays members of Congress in gold, and other public creditors in rags, with Robertson's amendment, which Biddle accepted, was taken up, and supported by Biddle in a handsome speech.

Hamer, of Ohio, and McKay, of North Carolina, labored hard to counteract its force, but in vain. Neither of them ventured to oppose the resolution. Hamer's argument was, that it would be but fair to hear the Secretary's explanation before condemning him, and that he would give an explanation perfectly satisfactory. He was also shocked at the idea that any member of Congress should be influenced by so paltry a consideration as the premium upon gold over bank paper.

McKay drew a fallacious parallel between the option offered to members of Congress to receive their pay in gold and that to other creditors to receive their pay in current bills or not be paid at all.

The resolution was adopted.

Bell, of Tennessee, offered a resolution calling upon the Secretary of the Treasury to report what appropriations may be dispensed with; which, at Cambreleng's recommendation, was immediately adopted, without opposition.

The House went into committee of the whole on the state of the Union upon the President's message. The Speaker called me to the chair.

Cambreleng offered two resolutions: one, referring so much of the message as related to the finances to the Committee of Ways and Means; the other, referring so much as related to a bankrupt law to the Committee on the Judiciary. Both were adopted without opposition, reported to the House, and immediately concurred in. Cambreleng moved to distribute in like manner the report of the Secretary of the Treasury between the same two committees.

Ewing, of Ohio, offered an amendment, which was rejected, and Cambreleng's motion adopted.

Smith, of Maine, offered a resolution, that the action of the standing committees on all matters not embraced by the message of P. U. S. be suspended until the commencement of the annual session in December, and that the consideration of all petitions on such suspended matters be suspended to the same time.

Whittlesey, of Ohio, urged an exception in favor of private claims.

Williams, of North Carolina, moved to postpone the consideration of the question till Wednesday.

Bell supported this motion, and broke out against the Sub-Treasury project of the message.

Cambreleng replied, supported the Sub-Treasury project, and called upon the opposition to propose their Bank of the United States.

This led to a long skirmishing debate, in which motions to except the Committee of Claims, and even the Committee of Elections, were rejected, without allowing the vote to be taken by yeas and nays. This only proves the determination almost unanimous of the House to have a short session. The Senate had already suspended the action, and even the appointment, of most of their standing committees. The House adjourned soon after three.

12th. Haynes, of Georgia, moved to adjourn, and withdrew the motion to allow me to offer separately three resolutions, calling upon the President of the United States—1. For the correspondence with Mexico relating to the boundary, and especially to any proposal to the Mexican Government for a

cession of the territory from that republic to the United States. 2. Whether any proposition has been made by the republic of Texas to be annexed to the United States; and, if so, what answer has been returned to it, and all the correspondence relating thereto. 3. For copies of the correspondence with the British Government relating to our Northeastern boundary since the message of the late President to the Senate, of 15th June, 1836. To the first and third of these resolutions I added the usual restriction, "so far as the public interest may permit;" but omitted it in the second.

The resolutions lie over one day for consideration.

The House adjourned about two o'clock.

Mr. Harmar Denny, late member of the House from Pittsburg, but not now a member, came this morning to my seat, and told me there was a Convention of Anti-Masons sitting here, in a room at Brown's Hotel; that they were to meet at one o'clock, and would be glad if I could find it convenient to attend. I promised him I would if the House should adjourn in time. I went, accordingly, and found about fifty persons assembled. The principal deputation was from Pennsylvania. Mr. Middleswarth was in the chair, and among the members were Darlington, McKennan, Biddle, and Ogle, of the House of Representatives; Denny and Todd, of the House heretofore, and Thaddeus Stevens. I found them in debate upon resolutions honorary to W. H. Harrison, as past and future candidate for the office of President of the United States, and to Joseph Ritner, as Governor of Pennsylvania, and candidate for re-election. The resolutions were discussed about an hour and a half, and finally withdrawn; and the meeting adjourned to meet again hereafter, second Tuesday of November, 1838, at Philadelphia. It was a convocation invited by the Anti-Masonic committee of Pennsylvania, to consult about a nomination of a candidate for the Presidency at the next election. But, with the exception of one member from Rhode Island, named Williams, there was no representation from any State other than Pennsylvania.

13th. Morning visits from Messrs. Darlington, Todd, and Stevens, the last of whom is a native of Massachusetts, settled

in Pennsylvania, and a remarkable man, likely hereafter to figure in the history of this Union.[1] Todd was formerly distinguished as the leader in Congress of the band who carried through the Tariff of 1824. He is, I believe, now a Judge in Pennsylvania.

The Speaker had hesitated some time whether he should call for petitions at this session at all. He had first, on Monday, announced that he would call for them, and then said it was suggested to him that it was usual for the Speaker to give one day's notice before calling for petitions, and he accordingly gave that notice.

Smith's resolution to suspend the action of the committees was intended to arrest the presentation of petitions; but he did not dare to introduce it expressly into the resolution, nor did the Speaker dare to infer from it their exclusion. He accordingly called this morning for petitions. Very few were presented. Mr. Cambreleng, from the Committee of Ways and Means, reported a bill to authorize the issuing of twelve millions of dollars of Treasury notes; twice read, and referred to the committee of the whole House on the state of the Union. Mercer, from the select Committee on the Rules and Orders of the House, made a report in part, which was ordered to be printed, and made the special order of the day for to-morrow.

My resolutions were then taken up. The first was suffered to pass without opposition—Howard, Chairman of the Committee of Foreign Affairs, stipulating that the subject was not to be debated at the present session; to which I assented.

Much and various opposition was made to the second. Wise declared that he should vote against it, because he had positive information from high authority that the correspondence on the subject was not in a condition to be made public. But Wise was not in the true secret. The correspondence to which he alluded is extra-official, and will not be given. The South Carolinians, and Howard, Chairman of the Committee of Foreign Affairs, thought best to yield to the call. Wise got a hint that the

[1] A prediction fully verified in his later career. He died at Washington in August, 1868.

slipping out of their hands, and that their new screws would be turned against themselves. The House adjourned without taking the question.

15th. H. R. U. S. I presented the petition of Ebenezer Smith and one hundred and sixty-three citizens, of Ryegate, Vermont, for retrenchment and reform. The words produced a general shout of laughter in the House, which was repeated when I said that my reason for presenting it was, that among the reforms for which it called, one was that Congress should reduce the pay of the members of both Houses from eight dollars a day to four. It lies on the table, and is in reality an abolition petition.

Governor Lincoln said that he had intended, after the resolution of the House to confine its action to the subjects referred to in the President's message, to retain sundry petitions of more than three thousand persons, his constituents, against the admission of Texas into the Union; but the extraordinary debate on my resolutions for calls upon the President had led him to think it his duty to present those petitions; which he did, moving that they should all lie on the table, giving notice that he should call them up at any time when a proposition for annexing Texas to the Union may be before the House.

Several other members also presented petitions against the admission of Texas; but I reserved mine for another day.

Cambreleng, from the Committee of Ways and Means, reported a bill imposing additional duties as depositories in certain cases on public officers. This is the famous Sub-Treasury scheme, which is to be the panacea for all the diseases of the country. Twice read, and referred to the committee of the whole on the state of the Union, as was another bill reported by Cambreleng for adjusting the remaining claims on the late deposit banks. He said the committee would have only two bills more to report. Bell was for acting immediately upon the bills from the Senate; but Cambreleng said they were not in all respects identical with those reported to the House. They all came from the Treasury, and are very slightly varied in modification differently by the financial committees of the two Houses respectively. The debate upon the rules was

concluded, Mercer having made from the committee a further report. The rule that questions of order raised after a call for the previous question shall be decided without debate was carried, by yeas and nays—one hundred to ninety-six. But the proposed revocation of the one hundred and seventh rule, requiring a day's notice and a vote of two-thirds to alter any of the standing rules, was lost, after a sharp debate, by yeas and nays—ninety to one hundred and twenty-one. A proposed addition of two standing committees, of five members each, upon patents and upon the public buildings and grounds, was adopted without opposition; so was, much to my surprise, a rule that during the sittings of the House the members shall remain uncovered. From the first existence of the Government the members of the House have been in the practice of wearing their hats, except when addressing the House. Numberless attempts have been made to alter the rule, always, till now, without success. It passed now without one word of objection, and gave me a signal illustration of the humors of deliberative assemblies, and how much depends upon the temper which they happen to be in to carry a measure before them.

Mercer then moved that the rules as amended, with Jefferson's Manual as part of them, should be printed for the use of the members, which was carried—including also the Constitution of the United States; and thus closed the revisal of the rules—whether for better or for worse is yet to be seen. I sometimes think there are already too many rules, and that it would be better to have none at all. The House adjourned at five o'clock over to Monday.

I have been for some time occupied day and night, when at home, in assorting and recording the petitions and remonstrances against the annexation of Texas, and other anti-slavery petitions, which flow upon me in torrents.

16th. I called at the office of the Secretary of State, and saw Mr. Forsyth. He told me that the correspondence with Mexico, with Texas, and with Great Britain concerning the Northeastern boundary, would be sent in next week. He said that no proposition for the cession of Texas had ever been

made to the Mexican Government; that when Butler had been Chargé d'Affaires there, he came back here once all of a sudden, and made the old General believe that if he would give him sufficient authority he would not only make the proposition, but would accomplish the object. He was furnished with the authority, sent back, and never made the proposition. His reliance had been upon what he believed was the disposition of Santa Anna.

From the Department of State I went to the office of Mr. Peter Force, the Mayor of the city. He is preparing a vast collection of ancient documents relating to the history of this country, and has a very great and curious collection of his own.

18th. After presenting my petitions, I offered a resolution, that the power of annexing the people of any independent State to this Union is a power not delegated by the Constitution of the United States to their Congress, or to any department of their Government, but reserved to the people. The Speaker refused to receive this motion, or to allow it to be read, on the pretence that it was not in order. I appealed to the uniform practice of the House to receive with petitions resolutions relating to the subject of them; but in vain.

19th. Meeting of the members of the Massachusetts delegation in the House in the chamber of the Committee of Manufactures, then removed to that of the Committee of Foreign Affairs.

Present, Adams, Borden, Briggs, Calhoun, Cushing, Fletcher, Grennell, Hastings, Lincoln, Phillips, and Reed; absent, only Parmenter.

There was much discussion about the bill for postponing the payment of the fourth deposit instalment. The hour elapsed, and we agreed to meet again at ten to-morrow.

I presented a long memorial from Joseph Husband, Jr., of Baltimore, about currency and banking, and the like; referred, at my motion, to the Committee of Ways and Means. I presented also thirty-nine petitions and remonstrances against the annexation of Texas, and asked leave to offer the resolution which I had proposed yesterday, denying the power of Con-

gress to annex a foreign people to the Union. Objection was made. I asked a suspension of the rules, and the yeas and nays upon the motion; both of which were denied. But after the call for petitions was gone through, and that for resolutions came up, I offered again the resolution, which was received, and, at my own motion, laid on the table.

20th. At ten this morning we had the second meeting of the Massachusetts delegation in the chamber of the Committee of Foreign Affairs. We discussed for an hour the question upon this Deposit Postponement bill. Governor Lincoln, as well as myself, has a strong reluctance to vote against it, under an apprehension that there is no money in the Treasury to pay the instalment, and that it can be paid only by new taxation upon the people. The other members of the delegation incline very strongly to vote against the bill, especially in the form as it comes from the Senate. We came only to the conclusion to watch the progress of the bill in the House; to vote for any amendment to it which may be proposed, reserving the final vote of yea or nay as the bill may be made, by amendment, satisfactory or otherwise.

H. R. U. S. I presented twelve petitions and remonstrances against the admission of Texas into the Union. Many others were presented by other members.

21st. Howard, of Maryland, came to my seat, and told me that the painters employed to fill up the panels yet failing in the rotunda had chosen their subjects: one, the landing of Columbus; one, John Smith, of Virginia; the third subject he did not recollect; but the fourth was, the departure of the Massachusetts Colony from England.

He also told me that the Mexican and Texan correspondence, called for by my resolutions, would be sent to the House in two or three days; and that a proposition to Mexico to cede Texas to the United States was in the instructions to Poinsett under my Administration.

23d. Upon Wise's resolution for an investigation of the causes and conduct of the war in Florida being called, he made a tart speech, answered by squirts of wormwood from Gholson, of Mississippi. Arphaxad Loomis took up the

cudgel in behalf of his predecessor, Abijah Mann, Jr., whom Wise had roughly handled; but Loomis made not much of his case. He is as sly and trickish as Mann, but more timid, and of oracular gravity.

Cambreleng called for the orders of the day. Cushing asked Cambreleng if he intended to close the discussion in the committee of the whole on the Deposit Postponement bill this day. Cambreleng said he did. Cushing asked if the discussion was to be choked off, and was called to order. Cambreleng had said in committee of the whole that circumstances had occurred since the passage of this bill, and of the bill for adjusting the balances due from the deposit banks in the Senate, which rendered the passage of the Postponement bill indispensable, or within a week the Treasury would be dry.

Rice Garland now enquired what those circumstances were.

The Speaker said it was not in order to refer in the House to anything that had been said in committee of the whole; but afterwards Cambreleng answered Garland's question. He said that since the passage in the Senate of those two bills the merchants did not want Treasury drafts to pay their bonds, and the banks saw they would not be compelled to pay their balances. The bonds and balances had, therefore, become unavailable funds, and the Treasury was ashore. Fairfield, and Smith, of Maine, Waddy Thompson, and Halstead, of New Jersey, discussed the Postponement bill till near five o'clock, when, at the motion of Christopher H. Williams, a new member from Tennessee, the committee rose. Garland, of Virginia, said he should be obliged to go home upon family concerns next Wednesday, and would, therefore, on Monday submit to the House his counter-project to the Sub-Treasuries.

26th. H. R. U. S. At ten o'clock A.M. I presented petitions and memorials for the abolition of slavery; and multitudes were presented by other members. Dunn, and Ewing, of Indiana, offered resolutions of call upon the Secretary of the Treasury. That of Dunn was received and adopted; that of Ewing was not even received. Ewing renewed his motion, and Williams, of North Carolina, called for the yeas and nays. They were ninety-seven to seventy-six—not two-thirds; and

thus the rule formed for the protection of the minority was abused to their oppression.

A message was received from the President, with the Brazilian correspondence of William Tudor's negotiations, and the answer to my call for the correspondence relating to the North-eastern boundary; but neither the Mexican nor the Texan correspondence was sent. W. S. Archer told me the other day that a great majority of the people of Texas were not desirous of annexation to this Union, but averse to it. This is a cunning way of stimulating us to desire it.

28th. H. R. U. S. I presented petitions for the abolition of slavery in the Territories; for refusing the admission of any new slave-holding State into the Union; and for the prohibition of the inter-State slave-trade.

With the last I asked leave to offer a resolution calling upon the Secretary of the Treasury to report at the next session of Congress the number of slaves exported from, and imported into, the several ports of the United States by the coasting trade. There was what Napoleon would have called a superb No! returned to my request from the servile side of the House.

29th. H. R. U. S. I reached the House at the instant of time to present fifty-one petitions and remonstrances against the order of the House of Representatives of the 18th of January, 1837; which was to lay on the table, without printing, or further action of the House upon them, all petitions, resolutions, and papers in any manner relating to slavery. Most of these were received by me during the last session; but the majority of the House, by evading after the 6th of February the reception of all petitions, excluded the reception of these, and of one hundred and fifty others; all of which I have now presented, and they have all been received and laid on the table.

The Deposit Postponement bill coming up, the first question to be decided was the motion of Mr. Pickens for reconsideration of the vote passing the bill to the third reading. Pickens urged his own amendment as an argument for reconsideration, and I urged my amendment to his amendment to the same point.

I noticed particularly an assertion of Waddy Thompson in a speech the other day, that the natural tendency of this Government was that all the money of the nation flowed *to the North.* I treated the whole subject with pleasantry, much to the amusement of the House, and with some impression.

Sergeant said to me, as we were going out of the House at the recess, that every word I had spoken drew blood.

Waddy Thompson admitted that he had said all the money of the nation flowed to the North. Lyon, of Alabama, and Gholson, of Mississippi, made some remarks on my allusions to the enormous deposits of public moneys in the banks of their respective States; to which I replied. Gray, of New York, and Everett, of Vermont, spoke in favor of the reconsideration. Arphaxad Loomis, successor of Abijah Mann, Jr., moved the previous question, but withdrew it at the request of Toucey, of Connecticut, who began a speech, which was interrupted by the recess. I passed it in the chamber of the Committee of Manufactures. When the Speaker resumed the chair, Toucey finished his speech, weak as water, for the bill, as a *repeal* of the fourth instalment. Cambreleng moved the previous question and a call of the House; two hundred and fifteen members answered to their names. The previous question was carried, and the vote for reconsideration one hundred and forty-nine to eighty-one. Cambreleng voted against it, but allowing it to be carried by his rank and file. Pickens then moved his amendment, limiting the payment of the fourth instalment to the 1st of January, 1839. Haynes moved as an amendment to it a proviso that there should be a sufficient surplus in the Treasury, which Pickens said he himself would cheerfully have accepted, but to which his friends would not assent. Haynes withdrew his amendment, and I offered mine —appropriating the balances in the deposit banks, the instalment of the debt to be due in October, 1838, from the Bank of the United States, and pledging the faith of the United States to the payment on the 1st of January, 1839—the last clause of which, however, I consented to withdraw.

Phillips made a very singular speech, ostensibly in support of my amendment, but in reality against the postponement of

the instalment, and an argument for making the payment at once by an issue of Treasury notes.

Patton, by an obliquity of the rational faculty not less remarkable, without objecting to Pickens's amendment, flatly rejected mine, and said if it should be adopted he would vote against the bill. His motive was the dastardly fear of a reproach from his constituents for supporting any motion offered by me. There are at least ninety-five representatives of slaves in the House under the same servile fear. Arphaxad Loomis advised me to change the word "pay" in my amendment for the word "deposit." I said it was a mere mutation of words, and not of thought; but that, to accommodate him, I would accept his modification if he would then vote for my amendment; but he declined. My amendment was lost by a vote of ninety-four to one hundred and thirty-five.

Williams, of North Carolina, moved to lay the bill and amendments on the table; lost—one hundred and one to one hundred and thirty-two.

Bell moved to refer the bill and amendments back to the committee of the whole on the Union, with instructions to report another bill nearly the same with my amendments; rejected without counting.

Phillips then moved a recommitment, with instructions to report a bill for paying the deposit, and issuing Treasury notes payable in a year with interest; rejected without count, and with refusal of the yeas and nays.

Mason, of Virginia, moved to substitute a bill to repeal the fourth instalment; lost; so were sundry other proposed amendments; and at last the previous question was carried, and the bill passed to a third reading by a vote of one hundred and eighteen to one hundred and five.

The third reading was called for immediately. Garland, of Louisiana, wished it postponed until the bill for settling accounts with the late deposit banks shall have been taken up and amended. The balances due from the banks of Alabama, Louisiana, Mississippi, and Michigan are so heavy that they cannot pay them within the term of nine months, proposed in the Settlement bill. Garland was afraid if this Postponement

bill should pass before a longer term than nine months should be secured to the Louisiana banks, than the Settlement bill proposes, those banks will be at the mercy of the Secretary of the Treasury.

Gholson, of Mississippi, pleaded also very hard for the postponement.

Cambreleng, to whom the votes of the members from those States were indispensable, promised that if they would vote for this bill their banks should be treated with indulgence. Dawson, of Georgia, and Samson Mason, of Ohio, indignantly pointed out to the House this shameless bargain thus struck in the face of the House. But, after some discussion, McKim moved the previous question; which was carried, and the bill, without taking the yeas and nays, was read the third time and passed.

On Pickens's amendment, and on the passage of the bill to the third reading, Patton bolted—he left the House, and did not vote at all. He had not said a word against Pickens's amendment, nor against the bill, but he had made a speech against my amendment, and said if it should be adopted he would vote against the bill. It were a curious enquiry to trace the small motives which turn the balance of deliberation upon great national concerns.

30th. When I reached the Capitol this morning, I found the House in session. The Speaker was calling for petitions from the Pennsylvania members, having begun with the Territory of Wisconsin. After disburdening myself of all the petitions which had been left upon my hands at the close of the last session of Congress, I had none this morning to present. Other members presented petitions for the abolition of slavery and against the annexation of Texas. Toland's resolution, offered yesterday, calling upon the Secretary of the Treasury for correspondence relating to the Treasury Note bill, now before the House, after some discussion was adopted. Cambreleng, from the Committee of Ways and Means, reported, without amendment, a bill from the Senate to remit the duty on goods destroyed by fire in the city of New York; and with an amendment, a bill for extending the time for the payment of duties on merchants' bonds.

Dunn, of Indiana, moved a reference to the Committee on the Judiciary, of a report from the Secretary of the Treasury, and an opinion of the Attorney-General concerning duty bonds.

Sergeant continued, without concluding, his speech on the resolution that it is inexpedient to establish a national bank; and Robertson, of Virginia, moved, as an amendment, that no such institution ought ever to be chartered without a previous amendment of the Constitution *expressly* delegating the power to Congress.

Orders of the day. Committee of the whole on the state of the Union, Connor in the chair. Cambreleng calls for the bill for issuing ten millions of Treasury notes. The Clerk takes up the House bill, and reads to the words "without interest," when Cambreleng stops him, and tells him he must take up the Senate's bill; which he does, and reads it through. Bell then objects that it is a bill to raise revenue, and appeals to me.

I had started the objection in my speech of yesterday, without making any apparent impression upon the House. I now said that if ever there was a bill to raise revenue, this was that bill. I would offer no motion, for I knew that if I did it would immediately be voted down, but if he would open the discussion he should have my cordial support.

Haynes interrupted me by a question of order, and said it was too late to raise the objection. Wise said it could never be too late for a constitutional objection, and moved that the committee should rise, that the bill might be sent back to the Senate.

I enquired of the Chairman whether Wise's motion superseded Haynes's question of order. Connor answered, "In the opinion of the Chairman, it does."

Cambreleng sputtered about the necessities of the Treasury; said this was not a bill to raise revenue; that the Compromise bill of 1833 originated in the Senate; and complained of the desire of the opposition to trammel the necessary operations of the Government.

Mercer replied, and denied that the Compromise bill had originated in the Senate.

Robertson said that this was the most flagrant breach of the privileges of the House that ever was perpetrated.

The House was kindling into a flame upon a spark that I had dropped yesterday, when Cambreleng gave way, and moved to take up the House's bill—which, after some opposition, was done, and then he moved the bill from the Senate as an amendment to that of the House.

Robert Barnwell Rhett (Smith heretofore) moved a long amendment, and literally howled a nullification speech. I say howled, for his enunciation was so rapid, inarticulate, and vociferous that his head hung back as he spoke, with his face upward, like that of a howling dog.

A skirmishing debate followed, and at half-past two the House adjourned over to Monday.

I offered a resolution of call upon the Secretary of the Treasury for returns of the amount of gold and silver received by the receivers of public moneys and deposit banks under the specie circular. Haynes objected to this call, but, upon a hint from Cambreleng, withdrew his objection, and the resolution was adopted.

As I was coming down the steps of the Capitol, a man by the name of Towle stopped me and enquired if I would sit to Mrs. Towle for my portrait. I stopped with him at his house, which is the same where Powers had his moulding-room. I saw Mrs. Towle, and her collection of portraits, consisting of Van Buren, R. M. Johnson, Polk, the Speaker, T. H. Benton, Amos Kendall, and H. A. Wise, unfinished. I was not over-ambitious to appear in such company, "même en peinture;" as old Count Löwenhielm said he would not like to reside at Delft. Nor was I much charmed with the execution of Mrs. Towle's portraits. Yet, as an act of courtesy, I promised to sit if, during the winter session, I should have leisure.

October 1st. Evening at home. I found in Niles's Register of yesterday a correspondence between Governor Schley, of Georgia, and Governor Dunlap, of Maine, of grave import. Schley demands that two citizens of Maine should be delivered up to be tried in Georgia for felony in stealing a slave. Dunlap answers that he is no abolitionist, and will carry into full effect the constitutional provision for the restitution of fugitive slaves; but that the case is not made out for surrendering citi-

zens of Maine. Schley replies—insists that the case is made out, and threatens war.

2d. H. R. U. S. The remonstrances against the annexation of Texas, and the petitions for the abolition of slavery, still come in multitudes, and many were this day presented, but not by me.

W. Cost Johnson, of Maryland, asked leave to offer a resolution to return to the Senate their Treasury Note bill; but it was denied.

Ewing moved a long, obscure, and verbose amendment to Cambreleng's resolution from the Ways and Means, that it is inexpedient to charter a national bank; and Sergeant continued his speech against that resolution for the remnant of the morning hour.

The resolution from the Senate to close the session next Monday was taken up. Haynes moved Thursday, the 12th, as an amendment. I renewed my motion made before, to amend by inserting the first Monday in April next.

Polk, the Speaker, did all in his power to exclude my amendment from consideration upon a point of order, and Boon, to cut it off, moved the previous question; but it failed—seventy-two to one hundred and two. My amendment was at last received by the Speaker, and I gave my reason for proposing it, which was chiefly the wasteful expenditure of public moneys by an extra session, unnecessary, and solely for the personal accommodation of the members. No question was, however, taken upon my amendment.

Patton, as usual, said he would not vote for it, but moved to postpone the consideration of the day of adjournment till next Monday; which was rejected without a count. A motion to strike out the 9th and insert the 16th was taken by yeas and nays, and carried—one hundred and fifteen to one hundred and three.

Mercer then moved to strike out the 16th and insert the first Monday in April next, and asked for the yeas and nays; but the House refused them, and rejected his amendment. Sherrod Williams called for the yeas and nays on the amended resolution, and they were one hundred and sixty-three to sixty-five.

The Senate concurred with the amendment of the House, and Monday, the 16th of this month, is fixed for the day of closing the present session.

The Mississippi election followed, and Buchanan, Chairman of the Committee of Elections, made a speech in support of their resolution; interrupted by the recess. On the resumption of the chair by the Speaker, the debate on the Mississippi election was continued by Legaré, of Charleston, an orator of the South Carolina school—flashy and shallow. He supported the resolution reported by the committee, which was opposed by Underwood, of Kentucky, and Samson Mason, of Ohio. Claiborne declared that the people of Mississippi universally believed, when they elected him and his colleague, that it was for the whole Congress. At seven o'clock, on the motion of Haynes, of Georgia, the House adjourned, with anticipation of a thin House to-morrow, this being the week of the races.

3d. This being the last of the thirty days from the commencement of the session for the presentation of petitions, I presented two against the annexation of Texas; but I reserve a considerable number for the winter session. F. O. J. Smith obtained leave of absence for his colleague, George Evans, from next Monday for the remainder of the session. Evans is one of the ablest men and most eloquent orators in Congress. His powers of reasoning and of pathos, his command of language, and his elocution, are not exceeded by any member of this Congress; much superior to the last. The last effort that he made was in January, 1836, and was the most furious personal philippic against me that ever was delivered; afterwards printed in a pamphlet and circulated by thousands in my own district. I never answered him, though I wrote a full and complete answer, which I was prepared to deliver had the occasion presented itself. I have not spoken to him since his outrageous and unprovoked attack upon me, with whom he had always before been upon terms of professed friendship. But the other day he silently rose and offered me a chair on which he was sitting; and I can hardly forgive myself for not offering him, as I had a strong impulse to do, my hand.

The Mississippi election was the order of the day, as the unfinished business of yesterday. It was debated by Haynes, Slade, Tillinghast, Howard (during whose speech I gave my opinion of the constitutional meaning of the word *happened*), Cushman, who moved and withdrew the previous question, Lincoln, Hastings, Parmenter, and Arphaxad Loomis, till the recess. After the recess, Loomis resumed and concluded. Hastings explained. I spoke briefly against the resolution reported by the committee, considering it as equivalent to the repeal of a law of the State of Mississippi. Whittlesey moved to lay the whole subject on the table; but the motion was lost. Haynes moved the previous question; which was carried. The resolution reported by the committee was adopted, by yeas and nays—one hundred and eighteen to one hundred and one; and Samuel H. Gholson and J. F. H. Claiborne were appointed members of the Twenty-Fifth Congress to represent the people of the State of Mississippi.

4th. H. R. U. S. Resolutions were offered by Howard, Robertson, and W. C. Johnson. Sergeant finished his speech against the resolution declaring it inexpedient to charter a national bank, and moved its reference to the committee of the whole on the Union. I enquired of Cambreleng if there had not been many petitions for a national bank referred to that committee. He said there had. I asked if any one of those petitions had been *read* by the committee.

He answered it would be strange if some of them had not been read by members of the committee.

I replied, and fixed upon him the admission that none of the petitions had been read, and then commented upon the fairness and honesty of reporting that a measure is inexpedient without reading the petitions which invoked the measure, and the reference of which to the committee was the only right upon which the committee could report upon the subject any resolution whatever. I moved to lay the whole subject on the table.

He asked me to withdraw the motion, that he might have the opportunity to answer me.

I said I would, if he would renew the motion after finishing his speech. This he said he would not do. I then withdrew

my motion unconditionally; and he replied—bitterly enough, and boastful of his own consistency to Southern principles.

He was followed by Glascock, of Georgia, Clark, of New York, Robertson, and Wise. Bynum rose to speak, but Cambreleng called for the orders of the day. Committee of the whole on the Union, Connor in the chair. R. B. Rhett's amendment to the Treasury Note bill under consideration. R. Biddle made a very eloquent speech against the bill. Robertson succeeded, and gave notice of his intention to move to strike out the first section. Thomas made a short explanation of the reasons of the Judiciary Committee for reporting the inexpediency of a bankrupt law. He gave it as his present opinion that Congress have the power to enact a corporation bankrupt law.

Recess from half-past two to four. When the House was resumed, Dunn, of Indiana, moved an amendment to the Treasury Note bill—that the banks and merchants indebted to the Government might pay their balances in Treasury notes before they should become due. Not in order. R. B. Rhett's amendment was then rejected. A desultory altercation ensued between Lewis Williams and Cambreleng upon Williams's objection to the unlimited authority given by the bill to employ additional clerks and to fix their compensations. Dawson moved to restrict the number of additional clerks to four, and their salaries not to exceed twelve hundred dollars a year—which Cambreleng accepted. Rives, of Virginia, moved an amendment, that Treasury notes should be without interest; this, after some discussion, was rejected—fifty-six to ninety-one. Underwood moved as a substitute for the bill one authorizing the Secretary of the Treasury to sell the bonds payable by the Bank of the United States for the stock held by the Government in the late bank; rejected—eighty to ninety-one; so was Dunn's amendment, without a count. Chambers, of Kentucky, thought this bill would put the deposit banks at the mercy of the Secretary of the Treasury, and moved to lay aside this and take up the bill for adjusting the balances due by the late deposit banks; rejected—seventy-eight to ninety-six.

Wise said he would take a woodpecker's tap at this hollow

beech-tree, and moved as an amendment a differently modified and much better bill. He supported it by one of the best speeches that he ever made; but it was rejected. Sundry other amendments were moved and rejected, all but one, by Cambreleng, to exclude the Bank of the United States from the power of paying their debt in the Treasury notes; which was adopted. The committee finally rose and reported the bill to the House.

5th. H. R. U. S. Howard, of Baltimore, by leave, moved that ten thousand extra copies of the correspondence with the Mexican Government, for which I had called, should be printed; which was agreed to; and an equal number of the Brazilian correspondence, for which I had moved a call at the last session of Congress, and which has been but recently sent in, was also ordered, at my motion. I could not have obtained this order at any other time.

The resolution that it is inexpedient for Congress to charter a national bank was taken up, with Sergeant's motion to refer it to the committee of the whole on the state of the Union. Bynum made a raving declamation of commonplace against it, immediately after which Cushman moved the previous question. Haynes moved a call of the House. Only one hundred and ninety-six answered to their names; most of the rest were at the races. The motion for the previous question was barely seconded—eighty-three to eighty. On the previous question itself, whether the main question should be now put, the yeas and nays were taken, and there was a tie—one hundred and one votes on each side. The impartial Speaker decided against further discussion—for the gag. The question itself was carried by a vote of one hundred and twenty-three to ninety-one.

The orders of the day followed. The Sub-Treasury bill, or Bank Divorce bill, from the Senate, was read twice, and referred to the committee of the whole on the state of the Union. The Treasury Note bill as reported by the committee of the whole was then taken up in the House. Robert Barnwell Rhett renewed the motion of amendment rejected by the committee, and made a speech for it, which I did not hear. He spared, however, the repetition of the nullification strain.

Mr. Fletcher, of Boston, made a very handsome, temperate,

argumentative speech against the bill, bearing directly upon the subject under consideration. Alluding to the argument often used to prove that Congress have not by the Constitution the power to establish a national bank, because the proposal was made in Convention to give Congress the power of erecting corporations, which was rejected, he showed that the same argument applied to the power of issuing bills of credit, which, he said, was contained in Mr. Charles Pinckney's project of Constitution; but was stricken out on revisal.

Cushing and Phillips engaged in the debate against the bill; Hamer and Parmenter for it. Crockett, of Tennessee, a son of the eccentric and unfortunate David of former times, killed in Texas, spoke also against the bill.

When the Speaker resumed the chair, while waiting for a quorum, I moved and carried a call upon the Secretary of the Treasury for a statement of the Treasurer's accounts with the deposit banks by the last returns, showing how much of the balances due by them, according to the statement annexed to his report at the commencement of the session, he has since drawn from them.

Phillips then concluded his speech. Howard and Toucey replied—the latter avowing that he should vote for the bill, considering the Deposit Postponement bill as a repeal of the fourth instalment. Bell, of Tennessee, said he was waiting for the amendments to be disposed of, intending then to move to strike out the enacting clause of the bill. Underwood moved the same amendment which he had offered in committee of the whole, authorizing the sale of the bonds due by the Bank of the United States to raise money for the Treasury. Patton spoke in favor of the amendment and against the bill. Cambreleng and Thomas spoke briefly and not very forcibly for the bill; and Bouldin made an amphibious speech, and said he should vote for the amendment, and perhaps for the bill, if the amendment should not be adopted. About half-past seven o'clock the House adjourned.

6th. I find it very difficult to reach the House before the Speaker takes the chair, which is precisely at ten o'clock. The prayer of the Chaplain occupies but two minutes, the reading

of the journal seldom more than three, and by five minutes after ten the Speaker plunges into the business of the day. While petitions were received every morning, and I had multitudes of them to present, a necessity was imposed upon me to be there at the stroke of the clock, and I was there. Since the expiration of the thirty days, leaving only one day in the week for the receipt of petitions, my punctuality has, almost insensibly to myself, fallen off; and this morning I found Thomas, Chairman of the Judiciary Committee, moving that the committee of the whole should be discharged from the bill to continue the expiring laws, that it might be taken up and passed in the House; which was done. Wise presented a petition from thirty-seven ladies and gentlemen of Halifax County, Virginia, praying Congress to furnish husbands at public expense to all female petitioners upon subjects relating to slavery, thereby giving a direction to their minds calculated to make them good matrons, and averting the evils with which the fanaticism of the Eastern States threatens the people of the South. It was received and laid on the table. I propose to notice it hereafter. Wise's resolution of enquiry into the causes, conduct, and cost of the war in Florida, with the proposed amendment of Glascock and Howard, was discussed between Wise and Arphaxad Loomis, who objected to giving the committee power to send for persons and papers, and who undertook to defend the character of his predecessor, Abijah Mann, Jr., to whom Wise said he was a fit successor. Wise read two letters which he had received, exposing and naming the parties to an enormous fraud. Howard made a pretty, classical allusion to the subterraneous and reappearing fountain, "Arethusa." Glascock frothed out a panegyric upon General Jackson, especially for his veto upon the recharter of the bank. Cambreleng called for the orders of the day.

I wanted to turn the edge of Howard's classical weapon against himself, which I could not do if the debate should go over till to-morrow. I asked Cambreleng to withdraw his call for the orders for a few minutes. He refused. Calls from all quarters of the House urged me to "go on." I took a vote of the House, which—ninety-two to eighty-four—gave me the

floor. After thanking the House for their permission to address them, I complimented Howard upon his allusion to the river "Arethusa," the reappearance of which, I said, I hailed with joy, but that I must say, with the Roman poet—

> "Sic tibi, cum fluctus subterlabere Sicanos,
> Doris *amara* suam non intermisceat undam."

The Doris in this case was the Military Committee, and I hoped her *bitter* waters would not be permitted to intermingle with the mellifluous stream of "Arethusa." I then, in a speech of about twenty minutes, exposed the unfitness of the Military Committee, with reference to party divisions and to sectional interests, for this investigation, and urged also the necessity of an appointment of the committee by ballot.

Cambreleng called again for the orders of the day. The Speaker laid before the House the report from the Secretary of the Treasury in answer to the call moved by me yesterday. The Treasury Note bill then came up. Bond, McKim, Cushing, discussed it till the recess. After the recess, there was a call of the House to make a quorum. The Treasury Note bill was resumed, and Underwood's amendment was debated by Hopkins, Wise, Underwood, McKay, Robertson, Legaré, Patton, Cushing, Foster, and Richard H. Menifee, a young man of great promise from Kentucky, successor to that oracle of judicial wisdom in the last Congress, French. Menifee's speech struck me as the strongest that has been made on this bill. Cushman moved the previous question, upon which the vote was a tie—eighty-eight to eighty-eight—and the Speaker cast the vote against it. After speeches of Wise, W. Cost Johnson, Underwood, and Phillips, the question upon Underwood's amendment was taken, and lost, by yeas and nays—one hundred and four to one hundred and twelve. R. B. Rhett then moved his amendment, and at three-quarters-past nine o'clock the House adjourned. It was half-past ten when I reached home. After I had spoken this morning on Wise's Florida War resolution, Howard and Dixon H. Lewis told me that there was a message from the President communicated to the House towards the close of the last session of Congress,

with a report of two Commissioners, Crawford and Balch, appointed by him, under the reference to him from the House of the resolution of investigation, moved by D. H. Lewis, on the 1st of July, 1836; that this message was not printed until after the close of the last session; and that the report of the Commissioners was only in part; a further and final report from them was in preparation. I found the message and report among the Executive Documents of the last session, but had no time to read any part of them this night.

7th. I read this morning part of the reports of Crawford and Balch in the Executive Document 154 of the last session, and saw that they proved the necessity of a Congressional investigation of the whole subject. H. R. U. S. Immediately after the reading of the journal, I asked and obtained leave to make an explanation. Then, referring to the enquiry which I had made yesterday, whether any message had ever been received from the late President upon the reference to him of the investigation demanded by Dixon H. Lewis, on the 1st of July, 1836, and to which enquiry no answer was given, I said I had been afterwards informed that there had been a message from the President to the House on the subject, communicated at the last session, but not printed till after the close of the session, and which I had never seen; that I had now seen and partly read it, and it had convinced me more than ever of the necessity of a thorough Congressional investigation of the whole subject of these Indian wars and treaties. Wise's investigation resolution was then taken up, and there was sparring between him and McKay, Chairman of the Military Committee, who replied to my speech of yesterday, and endeavored to justify the composition of the Military Committee, and the practice of the Speaker in the appointment of all committees. McKay is a very sensible, well-meaning, timid man, forever struggling between an anxious desire to correct abuses and a shivering terror of being cast off by his party. He wants the reputation at once of a stern reformer of abuses and a stubborn adherent to the Democracy and the Administration; these two obstinacies crossing each other's path produce a result of duplicity between his professions and his conduct.

He inveighs in private conversation against the abuses of the Administration like a Cato; he defends the Administration in his speeches as if he was a groom of the stole. In objecting to the Military Committee yesterday, I paid him a compliment for his vigilant care of the Treasury and his zeal for the purity of the Administration. He came to my seat this morning and most earnestly entreated me to write out for publication what I had said of him; but complained that my quotation from Virgil, with its application to the Military Committee, was excessively severe. Wise handled him more roughly to-day, till Cambreleng called for the orders and the Treasury Note bill.

R. B. Rhett, passing from the chrysalis state of a late voracious nullifier to a painted Administration butterfly, modified again his proposed amendment. Bell, of Tennessee, made a set speech of three hours against the bill, and against the whole course of the Administration, followed by Bronson, of New York, a tall, tame, tiresome conservative, who poured forth a basin of milk-and-water democracy tinged with a scruple of arsenic. Halstead, of New Jersey, a Whig peppercorn, replied to Bronson, and quoted Latin verses, without translating them, till the recess, during which I made out a comparative statement from the Treasury returns of the balances due from the late deposit banks. House resumed, and Halstead finished his speech. A long and tedious debate then followed upon sundry amendments successively proposed by Rhett and Wise, who was for restricting the power of the Secretary of the Treasury to issue the notes—I thought beyond reason. He called for the yeas and nays, which were ninety-six to one hundred and eighteen: I voted in the negative. Rhett finally moved a reconsideration of the vote by which Underwood's amendment for selling the bank bonds was yesterday rejected. The vote upon this, by yeas and nays, was one hundred and ten to one hundred and twelve. Underwood then proposed another amendment, limiting the issue of the Treasury notes to three millions and a half if the bank bonds can be sold at par within three months. Bynum objected to this amendment as not in order; but the Speaker decided that

it was. The debate got into a snarl, and between ten and eleven at night the House adjourned.

9th. H. R. U. S. Petition day. I had this morning received the petition of Sarah Chapman and three thousand and twenty-eight women of Boston against the admission of Texas into the Union; which I presented, and moved that it should be printed, together with the petition from the ladies and gentlemen of Halifax, Virginia, presented last week by H. A. Wise; which was ordered. Petitions against the annexation of Texas, and against slavery, with several thousand signatures, were presented by other members. I retain a considerable number, to present them at the winter session.

The Speaker presented a memorial from James H. Causten, representing that he had commenced suits against the Bank of the Metropolis for refusing to pay their bills held by him, on demand, in specie; that an injunction had issued from the District Court to stay his proceedings against the bank; and he prays that the charter may be declared forfeited. Briggs moved the reference of the memorial to the Committee on the Judiciary; W. Cost Johnson, to the Committee on the District of Columbia. I thought it a subject for reference to a select committee, but not till the winter session, and moved to lay it on the table; which was done.

Mercer, from the select Committee on the Rules, made a final report of two new rules: the first, that the hour of every motion to adjourn should be entered on the journal—which was adopted; the other, that after the Speaker has declared an adjournment no member shall leave his seat till the Speaker has left the chair; this, after some debate, was rejected. Elmore, of South Carolina, moved that ten thousand copies more of the Texan correspondence, with a selection of part of the Mexican correspondence made by himself, should be printed. I moved as an amendment that the whole of both the correspondences should be included in the resolution; upon which a sharp debate arose, till Cambreleng called for the orders of the day, and for an immediate decision upon the Treasury Note bill, that he might bring the Divorce bill, or Sub-Treasury bill, before the House. Underwood's amendment, with a new modification proposed

by him, was debated by him, Legaré, Sergeant, Cambreleng, Pickens, Gholson, Bell, and Reed, till the recess. On the Speaker's resuming the chair, Gholson concluded his speech. Underwood modified again his amendment, and it was rejected, by yeas and nays—ninety-six to one hundred and nine. A succession of amendments ensued, proposed by Robertson, Legaré, Southgate, Mercer, and Rhett; all rejected by repeated yeas and nays, excepting one by Southgate, authorizing bills of as low a denomination as fifty dollars to be issued; which was adopted—one hundred and twenty-three to ninety-nine. He had moved to reduce the minimum of the bills to twenty-five dollars, but failed. The bill finally passed to a third reading by a vote of one hundred and twenty-seven to ninety-eight, and was immediately read a third time and passed.

10th. H. R. U. S. Elmore's resolution for printing ten thousand more copies of the Texan and part of the Mexican correspondence was debated by him and me, and by Pickens, Owens, Howard, Biddle, Slade, and Waddy Thompson, till Elmore finally accepted my amendment, and the resolution was adopted for ten thousand copies more of the whole correspondence.

A joint resolution from the Senate, directing that the postage on letters sent by the express mail shall hereafter be paid in advance, was discussed, and finally forced through by the previous question, called for by Cambreleng. I thought it should have been by bill; but the House paid no attention to my suggestion. The object of the resolution is to save members of Congress from the payment of postage on letters sent to them by the express mail.

Committee of the whole on the state of the Union. The Divorce or Sub-Treasury bill from the Senate was called up —not by Cambreleng, but by Pickens, of South Carolina, who made in support of it a prepared speech of two hours, with which he has been swelling like a cock turkey ever since Calhoun's bargain and sale of himself to Van Buren, at the commencement of this session. Pickens is a fixture to the house of Calhoun, and Van Buren bought him with Calhoun. Cambreleng tickles his vanity by pushing him forward as the cham-

pion of this bill, and saving himself the trouble and the odium of this task, which indeed he could not have performed himself. Pickens is a coarse sample of the South Carolina school of orator statesmen—pompous, flashy, and shallow. Legaré is another, much more polished, better educated, and better disciplined; a fine speaker, a brilliant scholar, but yet a shallow bottom. He opposed the taking up of this bill; but it was carried against him. Pickens's speech was a jumble of indigested political economy, of abuse upon Jackson for his war against the bank, of abuse, repeated from Calhoun, upon banks, banking, and the bank, of South Carolina nullification, of slave-driving autocracy, and of ranting radicalism. He said, if the abolitionists of the North would preach insurrection to the Southern slaves, he would retort upon them by preaching insurrection to the laborers against the capitalists of the North. He said he supposed he should pass for a Loco-foco; but he had recently heard it said that John Milton was a Loco-foco. Then he passed a panegyric upon John Milton as the intrepid supporter of the *rights of man*, and concluded that if John Milton was a Loco-foco he was content to be called so too. All this was delivered with an air of authority and a tone of dogmatism as if he was speaking to his slaves.

When he sat down there was a pause, as if everybody was afraid to encounter him. At last James Garland said that he would offer his substitute bill, and make a speech upon it to-morrow. Phillips moved to lay this bill aside and take up that for authorizing a further suspension of payment upon duty bonds. Cambreleng agreed to this, and moved an amendment, granting the same credit of nine months, given by the first section of the bill to outstanding bonds, to all future bonds from the first day of this month for one year.

Obadiah Titus, a member from New York, opposed this amendment, as injurious to the manufacturing interest. His speech was interrupted by the recess.

I went and dined with Mr. Whittlesey, of Ohio, at his lodgings at Hyatt's. Met there Mr. Taliaferro, of Virginia, Messrs. Aycrigg, Randolph, Maxwell, and other members of the New Jersey delegation, and Mr. Slade, of Vermont.

On returning to the Capitol, I found the House in session. Titus concluded his speech in opposition to Cambreleng's amendment to the Merchants' Bonds bill. Menifee and Dunn offered amendments to the bill, which were rejected. I moved its reference to the Committee of Manufactures, to consider the objections of Titus; but the motion failed. Cambreleng's amendment was adopted, and the bill passed its second and third reading.

Then came, in committee of the whole on the state of the Union, F. O. J. Smith in the chair, the bill from the Senate for adjusting the remaining claims upon the late deposit banks. Rice Garland, of Louisiana, moved an amendment, to extend the postponement of payments from three, six, and nine months to nine, twelve, and eighteen months. Arphaxad Loomis moved that the banks should be charged with interest at the rate of four per cent. a year while they should postpone their payments of the balances. These amendments were debated by H. Johnson, of Louisiana, Lyon and Martin, of Alabama, and Pope, of Kentucky, till the committee arose at the motion of Robertson—seventy-four to sixty-seven; and the House adjourned, by yeas and nays, called by Cambreleng—ninety-eight to seventy. Past six o'clock. I got home at seven, and had an evening visit from Mr. Hawley, the minister, with two other clergymen from Virginia, whose names I could not catch—a visit of courtesy and curiosity.

11th. H. R. U. S. Henry Johnson, of Louisiana, some days since offered a resolution directing the Secretary of War to report at the next session a plan or plans for controlling and managing all the Indian tribes which have been driven from their homes and located west and southwest of the Mississippi. The resolution was adopted this morning, and will furnish a very curious document. Chapman, of Alabama, offered a resolution of instruction to the Committee of Claims to enquire into the expediency of extending the provisions for paying for horses lost or destroyed in the military service of the United States. The resolution was adopted; another bleeding artery of profusion. Wise's Florida War investigation came up again, and McKay concluded his speech with a motion to postpone

the further consideration of the motion till the first Monday in December. Lewis Williams insisted upon the immediate appointment of the committee, and I replied at full length to McKay on the composition of the standing committees, till the hour expired, and Cambreleng called for the orders of the day.

A bill from the Senate for regulating the fees of District Attorneys in suits upon bonds passed through all its stages without opposition or examination.

Committee of the whole on the state of the Union, F. O. J. Smith in the chair. Pickens immediately called for the Divorce or Sub-Treasury bill. Garland's substitute was read, and Ogden Hoffman, of New York, made a splendid speech in answer to that of Pickens, made yesterday, and against the bill. Hoffman's eloquence is diffusive—full of imagery, and classical, historical, and poetical allusions. His language is elevated, grammatically and rhetorically correct, and his elocution fluent. His pronunciation is of the English school—so that one of the members asked me if he was not an Englishman.

He was followed by R. M. T. Hunter, a young member from Virginia, in favor of the bill, and he by James M. Mason, also from Virginia, a son of General John Mason, of Georgetown, against it, and in favor of Garland's substitute. He spoke till the recess, and concluded after the chair was resumed. He spoke for the party called the Conservative, or, in other words, the State Bank party. He is ready, confident, plausible, fluent, but not very deep.

I spent the time of the recess in computations of the amount of balances in the late deposit State banks—tedious, but necessary, drudgery. At the evening session, after Mason closed, Robertson made a speech in support of an amendment which he intends to propose. It differs little from that of Garland; but Robertson agrees with no one. He is excessively tenacious of his own ideas. He has always amendments of his own to propose, and they never find support from any one else. He never carries anything, and wastes more paper in offering amendments and having them printed than any other man in the House. Garland followed him in a second speech for his

own substitute, and shortly after seven, at Haynes's motion, the committee rose, and the House adjourned.

12th. The Florida War investigation returned, and McKay explained. He moves to have it postponed until the winter session, and then referred to the Committee on the Expenditures of the War Department, a majority of whom, he said, were of the opposition.

I replied to McKay, and gave a history of the composition of the Committee of Manufactures at the first and second session of the Twenty-Second Congress, and of the utter insignificancy of that committee ever since. And I showed the uselessness of the reference of this investigation to the Committee on the Expenditures of the War Department.

Lewis Williams called for the yeas and nays on the postponement, and the debate was continued by Bond, McKay, Reed, Whittlesey, of Ohio, and Augustus H. Shepperd, who, in the last Congress, was Chairman of the Committee on the Expenditures in the Department of State, and, having shown a disposition to ferret out some abuses, and actually detected some, has this session been silently removed to another committee; which was noticed by Whittlesey.

Bond presented a statement of the appropriations for the suppression of Indian hostilities since the 1st of January, 1836, amounting to ten millions one hundred and twenty thousand dollars. Shepperd disclosed some of his experiences in the course of his researches into the expenditures of the Department of State, showing the necessity of a watchful eye over incipient abuses, and perhaps accounting for his removal from the committee.

The Sub-Treasury bill came up as the order of the day in committee of the whole on the Union, Smith in the chair. Rice Garland, of Louisiana, attempted, without success, to get up the bill for adjusting the balances of the late deposit banks.

Haynes, of Georgia, made a flabby speech in support of the bill. Haynes is a doctor, but this session has puffed himself up into a self-conceit of statesmanship, and fancies himself the main-stay of the Administration.

Calhoun, of Massachusetts, followed in a very sensible, tem-

perate speech against the bill, chiefly repelling, without retorting, the malevolence of Pickens's preachments of insurrections to the laborers of the North. It was too tame, but strenuously opposed the bill.

Mr. Pope, of Kentucky, commenced an elaborate speech against the bill and for a Bank of the United States. He was interrupted by the recess. After the recess, while the few punctual members of the House were waiting for a quorum, Cushman began a formal speech of self-justification for his habitual practice of moving the previous question. W. Cost Johnson, however, called him to order, and said that if he persisted he would start the previous question upon *him;* a hearty laugh of the House ensued, and Mr. Pope rose to continue his speech. It was often amusing, and sometimes instructive in details; never wanting in words, and occasionally sprightly, but wanting in connection, and showing no approach towards the sight of land. After speaking without discontinuance at least for two hours, he sunk down exhausted into his chair without finishing. A motion was made for the committee to rise; but W. Cost Johnson agreed with him, and by the tacit leave of the House, to take the floor in his place, reserving to Mr. Pope the right of concluding his speech to-morrow morning, and Johnson then proceeded in a speech of at least two hours, full of sarcasm, drollery, sound sense, generous sympathies, intrepid spirit, moral philosophy, and idle humors, such as I believe was never before delivered in a deliberative assembly.

Legaré then moved the committee to rise, but they refused. Garland's substitute was rejected—seventy-three to ninety. Dawson moved another—a bill in nine long sections, which was ordered to be printed. Cushing moved again the committee to rise, that Legaré might have the floor to-morrow morning; and they rose—ninety-eight to eighty-nine.

13th. Mr. Force, the Mayor of the city, called upon me with an invitation from the American Historical Society to deliver an address before them in the course of the month of next January. I was unwilling to decline, and yet unable to say whether I should be able to perform the task. I finally asked them to allow me a few weeks, to ascertain if it would be in

my power to comply with their request; to which they readily assented.

I found H. R. U. S. in session, passing the bill reported by the Committee of Claims to pay for horses and mules of volunteers in the Seminole War. It was driven through all its stages and passed. Mr. McKennan presented a memorial of T. H. Baird, of Washington County, Pennsylvania, containing a plan for a paper currency—a hundred millions or more of Treasury notes on the joint credit of the General Government and of the States, with a metallic basis of fifty per cent. on the issue. Laid on the table.

I moved that the memorial of James H. Causten against the Bank of the Metropolis, presented some days since, and then, at my motion, laid on the table, should, with its accompanying documents, be printed; which was ordered. I had received a letter from him requesting this; and, after the order had passed, received a second letter from him repeating the request.

A bill from the Senate, authorizing Mrs. Madison to publish in foreign countries any of the papers of her deceased husband purchased by Congress, was read three times and passed. A bill from the Senate, to prohibit the circulation of small notes in the District, was, after some discussion, laid on the table. I spoke in favor of its postponement, and alluded to the notorious circulation of small bills from other States in the city of New York, in open defiance of the law of the State; and I told the members that if they now passed this bill it would either be a dead letter, or they must go without their breakfasts and dinners at their lodgings for want of change to go to market.

Committee of the whole on the State of the Union, Smith in the chair. Sub-Treasury or Bank Divorce bill; Dawson's substitute the question. Legaré, of Charleston, South Carolina, delivered one of the most eloquent speeches, of two hours, ever pronounced in that hall; against the bill, asking for time; dealing altogether in generalities; descanting upon the march of intellect, the progressive improvement in the condition of mankind, the wonders effected by the modern system of credit, and the steam-engine. He glanced obscurely at the subject of slavery, and dashed away from it as if between fear and shame to speak

about it at all. He contrasted the condition of this country with that of Europe with regard to the progress of improvement, quoted a number of recent English writers on political economy, and referred to his own observations during his late residence and travels in Europe.

Legaré has not the ideal form of an orator—short, thick, with a head disproportioned in size to his body; a fattish, ugly, but intelligent face, dark complexion, and slightly limping left foot; but his voice is strong; his enunciation distinct, though rapid; his action not graceful, but energetic; his intonations alternately high and low; and his command of language copious and ornamental. He is, like Hoffman, rather of the English than the American school, and will surely rank among the distinguished orators of the nation.

He was followed by Charles Naylor, in a burst of feeling against Pickens's threat yesterday that he would preach insurrection to the laborers against the capitalists of the North. Naylor was soon interrupted by the recess. After the recess, Naylor finished his speech, and was succeeded by Ely Moore, the prince of working-men, who, as he did once in the last Congress, began with a thundering Jack Cade or Wat Tyler speech, and in the course of half an hour broke down—sunk almost lifeless into his chair, and was carried home to be bled. Moore is a very handsome man, six feet high, well formed, with a bold, keen, and piercing eye, a prepossessing countenance, a rather courteous deportment, a strong, clear, impressive voice, a good command of language, and fluent elocution. His object was to reply to Naylor, who had said that he was himself a laborer and spoke for the working-men. Moore said he had not spoken their sentiments; that *he* (Moore) knew them well; that he had been the founder of their national association, and was the President of their Convention; that he was in correspondence with the leading men of their party throughout the Union, and he could assure the House that nine out of ten, he believed ninety-nine out of a hundred, of them were against the banks, against the banking system, and in favor of this bill. Moore's vain boasting told his secret. In all the ordinary business of the session he was and is a servile tool of

the Executive; takes no part in the debates, and votes with the standing majority—occasionally changing his vote upon finding he has mistaken how the majority would vote. Twice he has attempted a great effort to bring out his whole system of insurrection against the rich, and twice he has broken down. If his strength were equal to his will, he would be a very dangerous man. As it is, he is a very unsafe one.

Cushing replied to Pickens's threat of leading a Northern insurrection, with great force; quoting from a former speech of Pickens characterizing the party at the head of which he now proposed to place himself as profligate, unprincipled, and detestable. Cushing said if there was to be an alliance between the slaveholders of the South and the Loco-focos of the North, it would not be an alliance between equals, but of masters and slaves.

Cambreleng made then his speech for the bill, consisting of bitter complaints against the opposition for obstructing the business of the Government and refusing all relief to the people in their distress, and of vapid repetition of hackneyed abuse against the Bank of the United States. He gave two or three sharp cuts at Hoffman as a deserter from the Tammany Hall, after enjoying by their favor an undue portion of the spoils; and said he should have learnt better lessons in the navy of the United States.

Hoffman replied in a half-hour of the most tremendous invective that ever was uttered. As he was speaking, the members from all parts of the House gathered till they formed a perfect ring round him and Cambreleng, listening with intense interest, so that in that usually confused and noisy hall a pin might have been heard to drop. Cambreleng cowered under the castigation, and implored his mercy. Hoffman immediately replied that in that altered tone he should find him far more accessible than in the one previously assumed, and let him off as Uncle Toby Shandy let off the fly.

A shout of applause burst forth from the galleries as he closed. I told Hoffman that I had prepared for a settlement of accounts with Cambreleng myself, but that he had settled all my balances with him as well as his own. I could not call a dead man to account.

Wise then took the floor for a speech of four hours; after which Dawson's amendment was rejected. The committee rose, and reported the bill; and at a quarter of an hour after midnight the House adjourned.

14th. Wise's Florida War investigation resolution was discussed till the expiration of the hour, and then the Bank Divorce or Sub-Treasury bill was taken up. Sherrod Williams moved to lay the bill on the table, but withdrew the motion at the request of Clark, one of the New York Conservatives, as they are now called, who made an apologetic speech, to the effect that he wanted time to consult his constituents; said the measure of the Sub-Treasury as a Democratic one was new; public opinion concerning it had not been fully pronounced. The Albany Argus had not yet laid down the law upon this subject; the County Convention had not specifically approved it. There was no immediate necessity for it. He wished to go home and learn the will of his constituents, and would then return and yield prompt obedience to it. He then renewed the motion to lay the bill on the table.

There was a call of the House, and, after several dilatory motions, taken by yeas and nays, two hundred and thirty members answered to their names. Just as the question was about to be taken, Lewis, of Alabama, entreated Clark to withdraw his motion, that he might offer an amendment to the bill. Lewis asked that his amendment might be read. The Speaker, notwithstanding a remonstrance from Haynes, pronounced this not in order. The yeas and nays were taken, and the bill was laid on the table by a vote of one hundred and twenty to one hundred and seven; Clark alone, of the New York Conservatives, voting with the yeas.

Lewis now moved his amendment again, but was declared out of order. He moved to adjourn, which being rejected, he again claimed the admission of his amendment, other business having intervened; but the Speaker did not consider a rejected motion to adjourn as new business. Griffin, of South Carolina, who had voted to lay the bill on the table to accommodate the member from Alabama, moved a reconsideration of the vote. Borden moved to lay the motion for reconsideration on the

table, and called for the yeas and nays, which were one hundred and nineteen to one hundred and four. The amendment thus pertinaciously pressed by Lewis to the consideration of the House was substantially that of Garland, of Rhett, and of Dawson, differently modified—a return to the late deposit banks to keep the public moneys.

The House next went into committee of the whole on the state of the Union, Howard in the chair, and took up the bill for adjusting the balances due from the late deposit banks. The bill from the Senate allowed them three, six, and nine months of time. Arphaxad Loomis had moved an amendment requiring them to pay interest for the delay, which he now modified at the suggestion of Elisha Whittlesey. Johnson, of Louisiana, opposed this, and moved a longer indulgence of time, so that the payments should be requirable not till July, 1838, January and July, 1839. These amendments the Chairman allowed to be discussed both at once. Governor Lincoln made a long and sensible speech against Johnson's and in favor of Loomis's amendment. He was interrupted by the recess—which takes off prodigiously from the effect of a speech.

I retired to the chamber of the Committee of Manufactures, and wrote a letter to my wife. I have found this so agreeable and so useful a manner of transacting the business in the House, and disposing of the time in the recess, that I regretted the single exception of the day, when, by the invitation of Elisha Whittlesey, I went and dined with him at his lodgings. Five or six small crackers and a glass of water give me a sumptuous dinner. I consume an hour and a quarter in writing a letter, and the time passes like a flash of lightning. I am calm and composed for the evening session, and far better prepared for taking part in any debate than after the most temperate dinner at home or abroad.

Of all this I had a signal proof this day. After the recess, Governor Lincoln concluded his speech. Martin, of Alabama, next spoke, in favor of Johnson's amendment, and wishing to add to it that the banks which belonged exclusively to the States should not be required to give security for the pro-

tracted payments. I then took the floor, and, in a speech of upwards of two hours, exposed the true character of the bill, and of that to which it is a supplement, in all their iniquity and fraud. Cambreleng was utterly unable to explain even the meaning of the bill. I made a free use of the computations which I had drawn from the reports of the Secretary of the Treasury, and minutely scrutinized the bill in all its parts, and denounced the bargain made in the face of the House between Cambreleng and the members of the debtor States, procuring their votes for the Postponement bill by promising them increased indulgence for their banks. Upon this Cambreleng, who could not answer me, kept up a continual succession of interruptions and calls to order, in despite of which I went through, with constant attention from the House, and not a mark of impatience, except from Cambreleng.

When I finished, he moved to lay the bill aside and take up the Appropriation bill; which was done. Wise moved to strike out an item of ten thousand dollars for the expenses of Richard Rush's agency in obtaining payment of the Smithsonian bequest. Cambreleng and Joseph R. Ingersoll, who was of his Committee of Ways and Means at the last session of Congress, had attempted to palm upon me the responsibility of proposing this appropriation, which I had flatly refused. Cambreleng was now obliged to propose it himself. Wise's motion did not succeed, but he afterwards moved in the House to reduce the appropriation to five thousand dollars, and succeeded. Cambreleng, as usual, had nothing to say in defence of the appropriation but that Wise and I had voted for the bill establishing the agency. Wise announced that the gold provided for the payment of the members of Congress was run out, and W. Cost Johnson wasted an hour in idle and humorous invective upon the Secretary of the Treasury for promising to pay the members in gold or silver and now putting them off with bank rags. Johnson, who was under Count Almaviva's "ivresse de gentilhomme," consumed so much time that Elisha Whittlesey finally rose and implored him to let the business of the House proceed. Johnson answered

him with much profession of deference and polite ridicule. Bynum got a formal letter from the Sergeant-at-Arms, Dorsey, declaring that he had all the money necessary for paying all the members who chose it in silver.

The Deposit Bank Balance bill, smuggled out of the committee of the whole on the Union by Smith's motion, was taken up in the House. Johnson of Louisiana's amendment, after a show of opposition from Pope, was carried—seventy-seven to fifty-four; and the instant it had passed, Cambreleng started the previous question, cutting off A. Loomis's amendment for the payment of interest, and the bill passed to a third reading. Lewis Williams called for the yeas and nays on the passage of the bill; which were refused. Bell moved some half-way measure to postpone the bill till next session, which failed; and the bill was literally crammed through the House.

Meanwhile, the Appropriation bill had returned from the Senate with three amendments, two of which, after some desultory conversation, were agreed to, and the third non-concurred. The New York Fire bill was finally laid aside. The Deposit Bank Balance bill came back from the Senate concurring in the amendment of the House; with a further amendment, providing for the payment of interest on the balances to be paid by the defaulting banks. This was, in substance, the amendment which had been proposed by Loomis. It defeated the project of the members from the debtor States, and they were for disagreeing to this amendment, under a confidence that if the bill could be sent back the Senate would recede from their amendment—as they certainly would have done. Loomis, of New York, without complaining of the manner in which his amendment had been treated, but with moderation amounting to timidity, moved to postpone the consideration of the bill to the first Monday in December; but Pope and Graves, of Kentucky, and other members from the debtor States, appealed to his compassion in behalf of the defaulting banks, and he withdrew his motion. The question upon concurrence with the amendment was put, and a majority of the votes present was against it; but there was no quorum in the House. Wise called for a count, and the number present was only eighty-

three. Wise objected to acting without a quorum, and said there was none in the Senate. Howard moved a vote of non-concurrence, so that there might be a conference between the two Houses. I said the House was not in a condition either to concur or non-concur: it was Sunday morning, and I would move to adjourn, but was willing the question upon non-concurrence should first be put, to ascertain what number of members there were present. The vote to non-concur was sixty-one to twenty-three. McKim then moved to adjourn. Wise called for the yeas and nays, which were, not to adjourn, thirty-eight to fifty. Cambreleng said it would take too much time and put the absent members to too much trouble to carry through a call of the House; but the officers of the Houses must take care to keep a quorum of members in the city, to be here on Monday morning. Thomas said that, as it appeared from the vote taken that there was a majority of a quorum for non-concurring with the amendment of the Senate, it was better to pass a vote of non-concurrence, which would leave the question just where it was before the absent members went away. The snake is as subtle as the old serpent of Eden. If his compeers would have supported him, he would have called that vote of sixty-three to twenty-two a vote of the House, because the affirmatives were a *majority of a quorum*. But they were not so resolute. Haynes said he could not consent to do business with the knowledge that there was no quorum present. Lewis, of Alabama, moved a call of the House. I said I would consent to do no business without a quorum. This bill was the price of the Deposit Postponement bill, stipulated by a most indecent bargain, then made in the face of the House, and then properly stigmatized. I would sit, if such should be the pleasure of members present, till Monday morning, but, for one, would do no business with only eighty-odd members present. Haynes moved to adjourn; which was carried, without a division, at half-past one, Sunday morning; and I walked by fine moonlight two miles home, which I reached, fresh, and very little fatigued, at a quarter-past two.

15th. I had a visit from Edward Wyer, who, after years upon years wasted in pursuit of subsistence by public office,

has, by dint of perseverance and importunity, obtained at last the appointment of Door-keeper to the Senate. I prevailed upon him to stay and dine with me, as did Messrs. Borden, Hastings, Parmenter, and Phillips, of the Massachusetts delegation in the House. And thus on this and the two preceding Sundays I have had to dine with me all the members of the Massachusetts delegation in the House. For the last three winters I have been, from various causes, unable to entertain company at dinner; to my sorrow, for one of the choicest enjoyments of this life to me is the practice of liberal hospitality. But the death of my dear and ever-lamented son John, the sicknesses of my wife, my own occasionally disordered health, embarrassments in my pecuniary concerns, and sometimes a state of feeling between a large portion of the delegation and me, have deprived me of the means, and even of the desire, to associate with them at convivial meetings. By the continual evolution of political opinions and passions, I happen at this moment to be again upon terms of good understanding and good fellowship with them all; and I have taken the opportunity afforded me by this momentary calm and this extraordinary session of inviting them all to dine with me. It may be the last time I shall ever have the opportunity of meeting my political associates and adversaries in the intercourse of mutual good will at the social board; and for this purpose I have been obliged to take the Sunday—the rest of the week being wholly absorbed by public duties.

16th. Close of the first session of the Twenty-Fifth Congress.

The House of Representatives met at eight o'clock this morning; the Senate at half-past eight. There was a quorum of both Houses present, and Governor Lincoln was there. Immediately after the reading of the journal, Cambreleng moved to dispense with the usual orders of the day and take up the amendment of the Senate to the amendment of the House to the bill for settling the balances with the late deposit banks. They had now no possible chance of carrying the bill without concurring with the amendment of the Senate. The tactics of Saturday night were accordingly inverted, and the motion now

was to *concur* with it. This I vehemently opposed, not from objection to the amendment, but to prevent the passage of the bill; and I again exposed the shameless bargain made in the face of the House between Cambreleng and the Southwestern members, in which, to secure their votes for the Deposit Postponement bill, he promised this increased indulgence to their delinquent banks. Garland, of Louisiana, and Chapman, of Alabama, took fire at these suggestions, and each of them asked if I meant *him*. I answered, that I referred to no individual member, but to what had taken place in the face of the House, and had been signalized at the time by Dawson, of Georgia, and by Mason, of Ohio. I was time after time interrupted and called to order by Cambreleng; and the Speaker decided that it was out of order to refer in the House to what had taken place in committee of the whole. I then said I would put a case, and suppose a legislative body elsewhere—anywhere—in the moon, if the Speaker pleased—and I would tell what had occurred in that imaginary assembly; and I told it all. I then recurred to what had passed last Saturday evening in the House, and laid open that scene of iniquity, Cambreleng and the Speaker interrupting me at every second word. I went through, however, and then said that, as my disclosures were apparently so very disagreeable to the Chairman of the Committee of Ways and Means, and to the Speaker, I would forbear to continue them. The Speaker said they were not disagreeable to him, but he was bound to execute his duty as he understood it. I said I had no doubt of that, but that, unfortunately for me, on this and many other occasions he understood his duty very differently from my understanding of it. I reviewed the conduct of Cambreleng throughout the whole of this session, and showed its duplicity, its incapacity, its overbearing insolence; and at last said that, out of tenderness to the Chairman of the Committee of Ways and Means, I would say no more.

He said I was fit to be a member of that legislative assembly in the moon which I had imagined, and called for the previous question. Mr. Lincoln moved to lay the bill and amendment on the table. Garland, of Louisiana, entreated him to withdraw the motion, that he might have an opportunity to answer my

most unjustifiable attack upon the members from Louisiana; but Lincoln declined. The House refused to lay them on the table. Cambreleng moved the previous question; which was seconded—eighty-seven to thirty-seven—and carried—ninety-two to thirty-two; and the main question, to concur with the Senate's amendment, by yeas and nays—one hundred and six to forty-five; and in half an hour the bill came back approved by the President. At ten o'clock A. M. the Speaker adjourned the House to the first Monday of December next. Mr. Hildreth, the reporter for the Boston Atlas, came to me and asked if I could write out the observations made by me this morning, some of which, he said, he had not been able to hear. I told him that it would be impossible for me to do this immediately, but the Atlas must refer to the National Intelligencer, where my remarks on Saturday night and this morning would be published, revised by myself.

Mr. William L. May, a member for the State of Illinois, came to my seat and asked me if I would write for him a circular to his constituents, intimating that it was his intention to resign his seat and not come to Congress again. I told him I believed it would be impossible without some allowance of time; but I would do it with pleasure if I could. He asked where I lodged. I told him at my own house, where I should be happy to see him at his own convenience. He said it had not been his intention to invite himself to my house, but seemed desirous to converse with me further. He has been a warm supporter of the Jackson Administration, but is now among the malcontents, willing but afraid to desert.

17th: I went into the library, and consulted the Voyages d'Anacharsis for some account of Solon, but found nothing beyond what I had already read in Plutarch. I wanted something more particular about his ordinance for abolishing debts. But Barthélemi adheres closely to facts as he finds them in the ancient historians, commenting upon them largely, but always in generalities. I looked also into what is called Garth's Translation of Ovid's Metamorphoses, and took the volume out. My principal purpose was to see how the translator had managed the catalogue of Actæon's hounds. I found he had omitted

it altogether. It is among the transcendent beauties of the Metamorphoses—a picture of an ancient stag-hunt, equal to the most perfect masterpiece of Snyders; a natural history of the dog not inferior to Aristotle, Pliny, or Buffon. The habits, the passions, the physical properties, the customary Grecian nomenclature of the hunting-dog, with thirty-six names of individual dogs, male and female, are all included in thirty lines of beautiful and most harmonious versification. A translator (it was Addison) who sunk under the difficulty of rendering this into English verse ought not to have ventured to encounter the Metamorphoses of Ovid. I wished also to see the account of the metamorphosis of Arethusa. It is towards the close of the fifth book, translated by Maynwaring. There is much about Alpheus in it, but nothing about Doris. In Virgil, tenth eclogue, Doris is the sea.

21st. There was an advertisement in the Intelligencer this morning that treaties with the Sioux and the Sacs of the Missouri would be signed this morning at eleven o'clock, and one with the Sacs and Foxes of the Mississippi at one o'clock, and that a general council would be held at three o'clock, the meetings to be at the church in F Street. I went out near one o'clock, stopped at the church, but found none of the Indian diplomacy there. Returning from the Bank of Washington, I stopped again; there were some women and children in the pews, waiting to see the show, but none of the contracting parties. I came home, took an early dinner, and soon after three o'clock returned to the church. It was then crowded, and two or more of the tribes of Indians were seated on a stage floored over the tops of the pews from the pulpit to the front pews. They were at the right and left hand of the Secretary of War, Poinsett, who was standing in the centre in front of the pulpit and investing the chiefs one after the other with a large silver medal, which he hung over the shoulders of each of them, suspended by a blue silk ribbon; after which he made them a short farewell speech, exhorting them to go home and keep the peace with one another; expressing his pleasure at the conclusion of the treaties with them, at their having stipulated for education and agricultural instruction, that a difficulty be-

tween the Sacs and Foxes and the Winnebagoes had been amicably settled; and he promised that the engagements stipulated with them on his part should all be faithfully performed. As he spoke, sentence by sentence, two interpreters, one on each side, explained to the respective tribes—Sacs and Foxes of the Mississippi, Sioux, Sacs, and Ioways of the Missouri, and Winnebagoes, seventy-four in number—what he had said; and each sentence was received with the usual Indian grunt. They then all successively shook hands with the Secretary of War and went away. Mr. Poinsett's manner, like his discourse, was cold, stiff, and formal. W. S. Coxe, whom I met there, observed to me that Governor Barbour was better fitted for a speech to Indian chiefs than Poinsett. I came home and went to work upon my tabular computations; and in the evening began to write out my speech.

Long evening visit from Mr. Langtree—a fulsome flatterer. He urged me to write for his Democratic Review and Magazine; but I told him that literature was, and in its nature must always be, aristocratic; that democracy of numbers and literature were self-contradictory.

22d. I read a pamphlet letter from William L. Stone to Dr. Amariah Brigham, relating his visit to Providence, Rhode Island, where he witnessed the operations of animal magnetism performed by Dr. George Capron upon Miss Loraina Brackett, a young woman from Dudley, Massachusetts. The account is as marvellous as the stories of the Cock Lane ghost, the miracles at the tomb of the Abbé Paris, or the Salem witcheries of the seventeenth century. The substance of the story is, that by the effect of certain cabalistic motions of a magnetizer the patient, a person laboring under nervous disease, is lulled into profound sleep, and in that condition is, by the power of imagination, endowed with miraculous powers of locomotion, and especially of vision. Dr. Capron magnetized this young lady into a profound sleep in nine minutes of time, first making her walk in sleep about the house and look at pictures with the back of her head turned to them. He next put her into a state of clairvoyance, and then delivered her over to Mr. Stone, who sat down by her side, took her hands in his, and, by agreement with her, transported her through the air to New York, where

they visited sundry places, among which was Mr. Stone's own house. She saw everything that was to be seen, and among them rarities never seen by any one else. Mr. Stone's narrative is much interspersed with argument to prove that he could not have been deceived or imposed upon. There is an appendix of additional evidence of the wonders of animal magnetism, which within a few months past has been exciting a degree of public attention somewhat alarming. I am apprehensive that there is danger of some great impostures being imposed upon the public credulity, and I cannot but meditate upon the fact that the existence of this mysterious power of animal magnetism has maintained itself in the minds of multitudes more than half a century since its fallacy was detected by the Commission from the French Academy of Sciences in 1783. It is among the remarkable hallucinations of the human mind, and one of those in which the natural progress is from weakness to frailty, from frailty to vice, from vice to crime, and from crime to public calamity. Stone's pamphlet is portentous.

23d. There was in the National Intelligencer this morning an advertisement signed James H. Birch, and Edward Dyer, auctioneer, headed "Sale of Slaves"—a sale at public auction, at four o'clock this afternoon, of Dorcas Allen and her two surviving children, aged about seven and nine years (the other two having been killed by said Dorcas in a fit of insanity, as found by the jury who lately acquitted her). The advertisement further says that the said slaves were purchased by Birch, on the 22d of August last, of Rezin Orme, warranted sound in body and in mind; that the terms of sale will be cash, as said slaves will be sold on account of said Rezin Orme, who refuses to retake the same and repay the purchase-money, and who is notified to attend said sale and, if he thinks proper, to bid for them, or retake them, as he prefers, upon refunding the money paid and all expenses incurred under the warranty given by him.

I asked Mr. Frye what this advertisement meant. He seemed not to like to speak of it, but said the woman had been sold with her children, to be sent to the South and separated from her husband; that she had killed two of her children, by cutting

their throats, and cut her own to kill herself, but in that had failed; that she had been tried at Alexandria for the murder of her children, and acquitted on the ground of insanity; and that this sale now was by the purchaser at the expense of the seller, upon the warranty that she was sound in body and mind.

I called at the office of the National Intelligencer, and saw Mr. Seaton; enquired of him concerning the advertisement of the sale of slaves in the paper of this morning. He answered with reluctance, and told me the same story that I had heard from Mr. Frye, adding that there was something very bad about it, but without telling me what it was. It is a case of conscience with me whether my duty requires or forbids me to pursue the enquiry in this case—to ascertain all the facts and expose them in all their turpitude to the world. The prohibition of the internal slave-trade is within the constitutional power of Congress, and, in my opinion, is among their incumbent duties. I have gone as far upon this article, the abolition of slavery, as the public opinion of the free portion of the Union will bear, and so far that scarcely a slave-holding member of the House dares to vote with me upon any question. I have as yet been thoroughly sustained in my own State; but one step further and I hazard my own standing and influence there, my own final overthrow, and the cause of liberty itself for indefinite time, certainly for more than my remnant of life. Were there in the House one member capable of taking the lead in this cause of universal emancipation, which is moving onward in the world and in this country, I would withdraw from the contest, which will rage with increasing fury as it draws to its crisis, but for the management of which my age, infirmities, and approaching end totally disqualify me. There is no such man in the House.

24th. This morning I visited Mrs. Madison, who has come to take up her residence in this city. I had not seen her since March, 1809. The depredations of time are not so perceptible in her personal appearance as might be expected. She is a woman of placid, equable temperament, and less susceptible of laceration by the scourges of the world abroad than most others. The term of her husband's Presidency was tempestuous and

turbulent; but he weathered the storm by that equanimity which carried him also through an eventful period and a boisterous age. The two closing years of his Presidency terminated his political life with honor and tranquillity, eminently successful in its general result and glorious individually to him. The succeeding twenty years she has passed in retirement—so long as he lived, (with him,) and now upwards of a year since his decease. She intended to have removed to this place last autumn, but was prevented by an inflammatory disease in her eyes, from which she has almost wholly recovered. There is no trace of it in her appearance now.

I went next to the Pension Office, and on my way saw the procession of the fire companies from Georgetown to the navy-yard passing through and coming out from the President's yard. It was respectable; but the procession of the fire companies in Boston, which I had seen when Edward Everett delivered his eulogy on La Fayette at Faneuil Hall, took off much of the splendor of this. They understand all ceremonials of public exhibition better in Boston than in any other place on the face of the globe. For military displays St. Petersburg is the place.

At the Pension Office I found Dr. Crump. I had the letter of Mr. John Thomas, of Marshfield, with me, and was to make enquiries concerning the Revolutionary service of Major-General John Thomas, stated by his son to have joined the army in 1775 and to have died in Canada in June, 1776. The Doctor said he thought some further information might be found in the papers of General Washington at the Department of State. I went there, accordingly, and saw Mr. Forsyth. The name of General Thomas was immediately found in the first muster-roll of General Washington's army at Cambridge in July, 1775; and Mr. Forsyth promised to have the papers thoroughly examined for any further evidence which they may contain relating to General Thomas, and to write me a note of the results.

I conversed also with Mr. Forsyth upon our relations with Mexico, which are still very precarious. A Mexican Envoy Extraordinary, Francisco Pizarro Martinez, arrived here a few

days since, with a Mr. Basave and a Mr. Cos, attached to his Legation. They had visited me by cards, and I had returned their visits in the same way. Mr. Forsyth told me that the Minister had not been received. He further told me that Mr. Powhatan Ellis, appointed last spring as Envoy Extraordinary and Minister Plenipotentiary to Mexico, was not gone, and would not go until some disavowal should be made by the Mexican Government of the outrageous conduct of Mr. Gorostiza upon his leaving this country.

I asked him if it was his publication of the correspondence. He said, partly that; but the latest accounts, he said, from Mexico were, the marching of a body of troops against Santa Anna, who was intrenched somewhere with six hundred men. He spoke, too, of Dickson, or Montezuma the Second, the adventurer whose project was to put himself (at the head) of the Mexican Indians, and march from California to Mexico. There are contradictory accounts in the newspapers of his having been killed and of his being actually on his march. Forsyth spoke also, laughingly, about Houston, the President of the republic of Texas, who is said to be about to resign and take the command of the army to invade Mexico. He said, further, that the person in South Carolina most sensitive about the annexation of Texas to this Union was James Hamilton, who it was said at one time was to supplant Houston in the command of the Texan army. I told Mr. Forsyth it was probable I might be obliged to make another call for documents at the next session; but he said there was nothing to communicate. There is a film of obscurity and a squint of duplicity over this whole concern.

27th. I walked to the Capitol—part of the way with Mr. Watterston, with whom I fell in. He spoke to me of the Southern Confederation, or Convention, held at , in Georgia, the proceedings of which, he said, were in the Merchant, Duff Green's paper, of this day.

At the office of the Clerk of the House I saw Mr. Burch and Mr. Frost. The journal of the House for the last session is not yet received, nor was the original memorial from Halifax, Virginia, there. I looked over a file of the documents of the

last session, and was surprised to find one memorial praying for a national bank, reprinted, I believe, twenty times over, because it came "totidem verbis" from so many different places. I wish to examine the file, to prepare for the approaching session of Congress, which may probably be my last political trial in this world. I look towards it as towards a crisis in the affairs of the human race, and in the events of which my last appearance upon the stage of life is to be had, and for all efficient operation I am to close the drama with the day. Whatever of life may be afterwards allotted to me by a merciful Providence must be to glide down the stream under the guidance of others.

On my way home I stopped at the office of the National Intelligencer, and saw Mr. Seaton. I saw there, too, the Janus-faced Merchant and Reformer, published by Duff Green at the same time in Baltimore by the name of the Merchant, and here by that of the Reformer, and I read the proceedings of the Southern Convention—the report of the committee, by George McDuffie, and the resolutions of the Convention, including that for the meeting of another Convention next April. Here is the germ of a Southern Convention, with South Carolina at its head, which is to divide this Union into a Northern, a Southern, and a Western confederacy, with Texas and a fourth part of Mexico annexed to the confederacy of the South. The movement of Calhoun in the Senate, and of Pickens in the House, is obviously combined with this project, which is offensive as regards the North American Union, and defensive against the progress of the abolition of slavery.

28th. There was in the National Intelligencer of this morning an advertisement again of the sale of a woman and two children at eleven o'clock. I went between eleven and twelve o'clock to the room. The woman and children, girls of seven and nine years of age, were there, the woman weeping and wailing most piteously. I enquired of Dyer if they were sold. He said, no; that they had been sold last Monday, and bought in by the husband of the woman, who was free, and a waiter at Gadsby's; he had bought them in for four hundred and seventy-five dollars, but was unable to raise the

money; which was the reason why they were to be sold again. They were waiting for the man, who was endeavoring to procure by subscription, upon his own engagement to repay the money, the means of paying for his purchase last Monday.

Mr. F. S. Key, the District Attorney, came in, and appeared to interest himself in favor of the man. I learnt from Dyer that the woman had been the slave of a white woman who had married a man named Davis, who lived at Georgetown and was a clerk in the War Department; that this white woman had died, and had before her death promised Dorcas her freedom; that on her death-bed she had made her husband (Davis) promise her that he would emancipate Dorcas; that he did actually liberate her, but gave her no papers; that she lived twelve or fifteen years at large, married, and had four children; that in the mean time Davis married a second wife, and afterwards died, without granting to Dorcas her papers of freedom; that Davis's widow married a man by the name of Rezin Orme, and that he sold Dorcas and her four children, on the 22d of August last, for seven hundred dollars, to Birch, who is an agent for the negro slave-traders at Alexandria; that Dorcas and her four children were on the same day removed to one of the slave-prisons in Alexandria; that in the night of that day she killed the two youngest of her children—one, a boy four years of age, and the other, a girl under twelve months; that she attempted to kill the other two, but was prevented—their screaming having roused some person in the house, who went into the cell where she was confined and took her surviving children from her; that she was tried at Alexandria for the murder of her two children, and was acquitted by the jury on the ground of insanity.

These were stated as the facts, and it was said to be doubtful whether Rezin Orme had any right to sell them at all. Mr. Key made some enquiries about Orme, who it was said had left the District and was not to be found; and about Mrs. Orme, who, he said, was under obligations to him, but who, Dyer said, had shut herself up in her chamber and would be seen by no person on the subject. Mr. Key called me out of the auction-room to speak in private with me on the subject;

he said he thought a subscription might be raised to enable Allen to pay for the purchase of his wife and children; and I told him I would give fifty dollars towards it.

I then called upon Judge Cranch at his office in the City Hall, and enquired of him concerning the trial of this woman at Alexandria. He read to me his notes at the trial. There were two indictments against her—one for the murder of each of her children. She was tried only upon one—that of the boy. The evidence of her killing them was complete. The defence was insanity. Not the slightest evidence of insanity at the time, except the mere fact of her killing the children. There was evidence of her being subject to fits, which sometimes lasted an hour; that she is passionate and violent, and sometimes wild in her talk. The jury acquitted her as insane. The prosecutor entered a nolle prosequi upon the second indictment. Upon being asked why she had killed her children, she said they were in heaven; that if they had lived she did not know what would have become of them; that her mistress had been wrong; that her mistress was a Methodist, and so she was herself. There was no evidence before the Court of anything preceding the acts for which she was tried.

I spoke of the sale of free negroes for jail-fees. He said there was great need of a revision of the laws respecting runaway negroes. He gave me his copy, with marginal annotations, of Mr. Alexander's report on slavery in the District of Columbia, of 29th January, 1829; and spoke of a much fuller report by Gershom Powers, in February, 1830. On leaving the Judge, I called at the office of the National Intelligencer, but Gales and Seaton were both absent; then again at Dyer's auction-room, but he was absent, and the negro woman and children were gone; then at Mr. Force, the Mayor's, office, and he was absent.

30th. I called at Dyer's auction-room, to enquire what had been done with Dorcas Allen and her two children on Saturday. He was not there; but a man in his place told me that Mr. Key and Birch had made some arrangement by which the woman had been taken by her husband, and the two children had been taken away by Birch.

31st. Met Edward Wyer, who promised me again a budget of speeches, and told me that of all vulgar men in this world the most vulgar man, in his judgment, was the Vice-President of the United States. Wyer is door-keeper to the Senate. At the Clerk's office of the House I found only Mr. Frost, who gave me a copy of the journals of the House at the last session, and the original anti-abolition memorial from Halifax, Virginia.

November 1st. Nathan Allen, the husband of the woman and father of the children sold last week, came this evening with the subscription paper to pay Birch for them. They are now in jail, waiting for this money to be raised to have them delivered over to the husband and father. I subscribed fifty dollars, to be paid if the sum be made up to complete the purchase. I enquired of Allen, apparently an active but very ignorant man, how Dorcas came to be the property of Rezin Orme. He said some people thought she was not. She had originally belonged to a woman in Baltimore, named Emery, who married Gideon Davis; on her death-bed she made Davis promise that he would give Dorcas her freedom; but Davis never did. He married a second wife, named , belonging to Georgetown. Davis himself died without emancipating Dorcas, and his widow married Rezin Orme, who sold her and her four children. Dorcas is subject to epileptic fits, very violent, after which she is sick ten or twelve days. She has been repeatedly sold and turned back on account of these fits, and often turned upon her husband's hands to be maintained and doctored at his charge, because her owners would not incur the expense. The eldest of the surviving girls is twelve years old, and named Maria; the youngest nine. He says he shall easily find a place for Maria, who is a smart child. It is very doubtful whether I have not imprudently engaged myself in this matter, which I must pursue further. The emancipation of the woman and children is not yet secured.

2d. I called at Mr. Dyer's auction-room, to enquire about Dorcas Allen and her children. Dyer had been misinformed that they would be liberated by the giving of a note to a man who would lend Allen the money, which Mr. Key was to endorse. He said the woman and children were *not* at the jail; and

that Mr. Key had gone to Mrs. Orme in her sick-chamber, she having been lately confined, and had frightened her so by threatening her with the law, that it was not expected she would live. He pronounced a panegyric upon Orme, who, he said, was one of the best and most respectable men in the world; and as to the slaves, he had a right to sell them; they were his property.

I asked him by what authority he had sold them.

He said, by Mr. Birch's; that he had not asked him for any proof that they were his; he had trusted to his word.

I said I understood they were not Orme's property.

He said they were his by his wife.

I said I had heard they were not his wife's.

Well, he said, he had heard so too. They were really part of Gideon Davis's estate. He died insolvent, and they belonged to his creditors, and if he was one of them he would claim them as such. Here, then, is another danger to which these unhappy beings are subjected. If their freedom from Birch's sale should be purchased, they might still be reclaimed by Davis's creditors.

4th. Attended the sociable party to which I had been invited by Mrs. Forsyth. President Van Buren and his son Martin were there, Mr. Martini, Chargé d'Affaires from Belgium, Mr. Cavalcanti d'Albuquerque, the Chargé d'Affaires from Brazil, with his lately married wife and her sister, Miss Okey, of New York, Miss Hughes, who Mrs. Meigs, Mrs. Forsyth's mother, told me was engaged to Mr. Tacon, two Miss Macombs, Major Macomb, and the General's son, Mr. Forsyth's children, six or seven daughters, and one boy about twelve years old. Mrs. Meigs told me that Mrs. Madison had engaged to be there, but had sent this evening an excuse—her eyes being unable to bear the light. The conversation was pleasant, easy, and truly sociable. Mrs. Albuquerque played on the piano to the singing of her sister—Italian opera music. Miss Hughes sang and played Italian and French music; all very good. Mr. Van Buren was, as usual, courteous to all, and particularly to me. He asked me, as he constantly does, several questions about my son—always the same questions; and, when he came away, invited me to take a seat with him in his carriage—which I did; and he took me home between ten and eleven. His son

Martin was with him. As I left the carriage, he said he should be always happy to see me; which I took as an invitation, and answered that I should certainly call to see him very soon. I propose to call a day or two after my speech shall have been published.

5th. I went to the office of the National Intelligencer and revised the proof-slips of five columns of my speech of the evening of the 14th of October. I have called it a speech on nouns, pronouns, verbs, and adverbs—with reference to one of Cambreleng's rude interruptions, saying that he could not pass the night in discussing nouns and pronouns, verbs and adverbs, with the gentleman from Massachusetts. Seaton is afraid of this caption, and says he must insert a note to say it is not of their invention; to which I readily agreed. I use it to draw attention to the speech, the details of which are tediously dry, with a continual reference to figures. I have hopes that the oddity of the title will excite curiosity to read, and that it will also draw public attention to the wretchedly loose manner in which the Acts of Congress are drawn up. This is one of the worst that ever appeared on the statute book. Seaton's alarm, however, is not without foundation, and the experiment is hazardous. He said the remainder of the speech was all in type, and the proof would be ready for my revisal to-morrow at noon.

7th. The remainder of my speech upon nouns, pronouns, and adverbs (a perilous name) was published in the daily National Intelligencer, and the whole speech in the tri-weekly paper. It is, by the care I have taken, more correctly printed than, I believe, any production of mine ever was before. I called at the Intelligencer office and bespoke of Mr. Seaton half a dozen copies of the tri-weekly paper, which I sent off by this evening's mail. Seaton mentioned to me a letter from John P. King, a Senator from Georgia, who made the most powerful speech against the Sub-Treasury bill that was delivered in the Senate, and whom they are now tearing to pieces in Georgia for apostasy to his party. Among other ingenious devices to run him down, they have resorted to a forgery, a pretended marginal note upon the Intelligencer containing his speech,

attributed to the editors of the Intelligencer, and saying that it was not the speech delivered, but softened down in all the personalities against Jackson and Van Buren; and charging it as cowardice in King, for which he was despised by the federalists. This is a party artifice to decry the man, to counteract the force of the speech. King has such a pack of hounds at his heels for the most spirited and ablest speech of the session, that he has announced his intention to resign his seat in the Senate.

9th. The black man Nathan Allen came again about the contribution to purchase his wife and children, which he finds it very difficult to accomplish. He said General Smith, of Georgetown, had agreed to endorse the balance of the sum which was to be paid for the redemption of his wife and children; but the doubt remains whether they will be emancipated. I told Allen to ask Mr. Key to call on me.

Mr. Miller, the architect of the public buildings, brought me, he said, at the request of Mr. Robert Gilmor, of Baltimore, the designs for the inscriptions on the monument in honor of George Washington, erected by the State of Maryland. The inscriptions were all as they had been settled by Mr. Gilmor's correspondence with me, but the date assigned for the appointment of Washington as Commander-in-Chief of the American armies of the Revolution was 3d June, 1776. I told Mr. Miller that was a mistake, and immediately recurred to the journals of the Revolutionary Congress, and showed him the entry of the appointment as of the 15th of June, 1775. This incident led me to reflect how important it is that in monumental inscriptions the names and the dates should be correct.

10th. The black man Allen had come to me again this morning, in great solicitude about his wife and children, and I told him I would see again Mr. Key. I went, accordingly, both to his house and to his office in the City Hall, but did not find him. I then went to the office of the National Intelligencer, and saw Mr. Seaton. Mr. Key came in while I was there. Upon conversing with him, I found he would give no assurance that Dorcas Allen and her children will be free if they should be purchased from Birch. By the law of the place,

they are assets of the estate of Gideon Davis, upon which there never has been any administration; neither his widow nor her second husband, Rezin Orme, had any right to sell them, and the sale to Birch was a mere nullity. Mr. Key said the Corporation of Washington were the only creditors of Davis, and it was not likely they would ever disturb the purchase from Birch.

13th. Nathan and Dorcas Allen were here this morning. He had not yet made up the subscription for the balance between three hundred and thirty and four hundred and seventy-five dollars—General Walter Smith, of Georgetown, having promised to endorse Allen's note for the former sum if he could procure the remainder, to pay Birch for a bill of sale of the woman and the two children. But he said that General Smith had examined at the Registry of Wills Davis's will, and that by the will the woman and children were bequeathed to Davis's wife, and therefore her second husband had an undoubted right to sell them.

I told him that whenever the bill of sale should be ready I would give the check for fifty dollars which I had promised. He came again twice in the course of the day—once while I was out, and again after I returned. He then told me that Birch had again taken the two children and put them into the jail, and would carry them away if the money was not paid; that General Smith now said if I would pay the fifty dollars he would undertake with the other subscriptions to pay the whole sum and take the bill of sale. He repeated that General Smith was entirely satisfied with the validity of Birch's title, and that he had the right to make the sale.

I then gave him the check for fifty dollars, payable in bills at the Bank of Washington, to Walter Smith, Esq., or his order, and told him when the affair should be completed to bring me the bill of sale, that I may see it. I could pursue the question of Birch's title no further without becoming liable to the imputation of shrinking from my own promise and prevaricating upon the performance of my engagement. Yet I still doubt the legality of the sale to Birch, and whether the complete emancipation of the woman and children will be effected. I could not

take the course of the law, for Mr. Key told me that if upon a writ of habeas corpus Birch's title should be disproved, still they were slaves; they could not be discharged. Such is the condition of things in these shambles of human flesh that I could not now expose this whole horrible transaction but at the hazard of my life. Any attempt to set aside the purchase for illegality would be stigmatized as mean and *dishonorable.* Iniquity must have its whole range. I therefore made the promise of fifty dollars for their emancipation, and have now paid it, without even being sure of effecting it, rather than attempt to bereave the man-robber of his spoils.

16th. In the evening I read to the ladies three chapters of the Life of Aaron Burr, by Matthew L. Davis—two extraordinary men, perhaps such as no other part of this Union could have produced. Burr's life, take it all together, was such as in any country of sound morals his friends would be desirous of burying in profound oblivion. The son and grandson of two able and eminent Calvinistic divines, he had no religious principle, and little, if any, sense of responsibility to a moral Governor of the universe. He lost both his father and mother before he was three years old, and with them appears to have lost all religious education. He lived and died as a man of the world—brave, generous, hospitable, and courteous, but ambitious, rapacious, faithless, and intriguing. This character raised him within a hair's breadth of the Presidency of the United States, sunk him within a hair's breadth of a gibbet and a halter for treason, and left him, for the last thirty years of his life, a blasted monument of Shakspeare's vaulting ambition. There are in the chapters that I read this evening three of his collegiate essays; something above mediocrity, but not much. His principle for style was simplicity.

17th. Dr. Mayo paid me a morning visit, with a prospectus of a book which he proposes to publish under the title of Eight Years' Residence in Washington—that is, a secret history of the Kitchen Cabinet, the Hickory Club, and the Administration of Andrew Jackson. He proposes a volume of about five hundred pages, and wanted some written recommendation of the work to allure subscribers. This I declined, and told him

that if his disclosures should be such as are promised in his prospectus, he would have no need, other than authentic evidence of the facts, of recommendation to obtain subscribers or readers.

Dr. Mayo is one of those office-hunters and busybodies who, during Jackson's Administration, under the mask of reform, were in a continual struggle to turn out of the Executive offices all the incumbents except his devoted tools, and to put themselves, and such as themselves, into their places. Mayo was the principal agent of the Hickory Club, acting under the impulse of Amos Kendall. But in his purposes of reform he assumed a principle which did by no means suit them, and that was, removals should be made only for moral or official misconduct or open abuse of the Administration; and that it should be applied equally to individuals of their own party as well as to others. He offered to the club a resolution to that effect, which, he says, was almost unanimously rejected. In his pamphlet already published, called A Chapter of Sketches on Finance, Dr. Mayo has disclosed a curious history of the transactions of this Hickory Club; but of the whole pamphlet the most curious part is a letter to President Jackson from himself, under the secret of the Masonic cipher, dated 2d December, 1830, containing a detailed account of Samuel Houston's conspiracy against Texas at that time. And Dr. Mayo showed me this morning a confidential letter from President Jackson, in his own handwriting, to Mr. Fulton, then Secretary of the Territory of Arkansas, and now a Senator from that State, dated 10th December, 1830, sternly denouncing this project against Texas, and instructing him by all the means in his power to defeat and break it up. These papers, the Doctor told me, were all returned to him from President Jackson in 1836 at his own request, and among them was, he supposed by mistake, this original letter from Jackson; but whether it had ever been sent to Fulton he did not know, and doubted; but he referred to it as a demonstration of the duplicity of Jackson's Administration with regard to the relations of the country with Mexico and Texas.

It is so, and proves that Jackson's bold and dashing character was nevertheless capable of double-dealing worthy of Ferdinand

the Catholic or of Tiberius Cæsar. All the proceedings relating to Texas and Mexico have been in the same style. The expositions of Dr. Mayo, if he publishes them, will be documentary histories of the Jackson Administration; and he was himself one of the principal ingredients of that character.

I told him I would take one of his books, but, from my peculiar position, could have no agency whatever in promoting its publication.

20th. I took my remarks on the Mississippi election, made on the 3d of October, to the National Intelligencer office, and asked Mr. Seaton if he would publish them in the paper. He promised to do so immediately after the meeting of Congress. The question will, in all probability, come up again at the next session. I therefore took my manuscript back with me, and at last finished my letter to Dr. Channing—the most carelessly written of any letter that I ever wrote. It is upon the question concerning the annexation of Texas to this Union—a question of far deeper root and more overshadowing branches than any or all others that now agitate this country. Dr. Channing's letter to Mr. Clay, of which he sent me a copy, discusses the subject with great power. I had opened it by my speech in the House of Representatives on the 25th of May, 1836—by far the most noted speech that I ever made. I have a Spanish translation of it published in Mexico, and nearly the whole of it is republished in the appendix to the second volume of Miss Martineau's work upon America. Dr. Channing's letter enquires of me what is the present aspect here of the Texan annexation question. I have answered him what it has been, what it is, what it will be. My answer is a letter to posterity, which will reach its address; but it is strictly confidential, and so carelessly written that if I were not thumb-screwed for time I ought to write it over again and burn it as a *brouillon*. Let it go; but, if prayer can avail, I implore Divine assistance to prepare me for this debate in the House.

22d. There was a riotous assemblage of people, perhaps three hundred in number, with a cannon, who went round last night to the President's house and the houses of some of the heads of Departments, discharged their cannon, and made much dis-

turbance, in celebration of the Whig victories in the late elections, especially in the State of New York. I heard little of it myself, though it once awoke me out of sleep, and I knew not what it was. This effervescence of popular feeling is too common and too little discountenanced by any of the predominant parties; both of them use the populace to glorify their triumphs and to depress their enemies, and both of them suffer for it in turn. The most atrocious case of rioting which ever disgraced this country happened on the night of the 7th of this month at Alton, in the State of Illinois, where a man by the name of Lovejoy, one of the leading abolitionists of the time, has been striving to establish a newspaper. Three times he had imported printing-presses in the place, and three times they had been destroyed by mobs, and once or twice the offices in which they were placed. The fourth time the press was imported and deposited in a merchant's warehouse. The mob assembled in the night, surrounded the warehouse, and demanded that the press should be delivered up to them. It was refused. They assailed the house with musketry, forced their way into it, set fire to the roof of the building, shot Lovejoy dead, wounded several others, till the press was delivered up to them, which they broke in pieces and threw into the river. One of the assailants also, by the name of Bishop, was killed in the affray.

This Lovejoy wrote me a letter last January, which I answered in April. He was a man of strong religious, conscientious feeling, deeply indignant at what he deemed the vices and crimes of the age. Such men are often fated to be martyrs; and he has fallen a martyr to the cause of human freedom.

I received and read Governor Edward Everett's address to the Massachusetts Charitable Mechanic Association at their first exhibition and fair, on the 20th of last September—admirable, as all his occasional discourses are. There is annexed to it a hymn by Mr. Pierpont, scarcely less beautiful. The radical idea both of the address and hymn is Charles Sprague's ode upon Art; and thus it is that thought flies from mind to mind, brightening and expanding as it goes, till it fills the universe with a blaze of glory.

23d. I consumed much of the morning in reading Mr. Preston's speech in the Senate on the Sub-Treasury, or Divorce of Bank and State, bill—a strong, solid, argumentative speech; brilliant with imagery, and not overcharged with ornament; scrupulously respectful to his colleague, Calhoun, and yet exposing in a clear light his Phaetontic course. There is an involuntary train of reasoning running through it in favor of the Bank of the United States, without the moral courage to avow the conclusion to which it tends; a complacency to the State banks, ill deserved by them; and, the radical weakness of the speech, a capillary tube of nullification scarcely perceptible, but imparting poison to all the wholesome waters of the stream. It is one of those speeches of which multitudes are delivered almost every day in both Houses of Congress—full of eloquence, dazzling with beauty, sparkling with wit, radiant with sentiment, beaming with philosophy, and yet radically defective in the basement story of moral principle; ardent patriotism, generous feeling, benevolent sentiment, elegant language, literature, courtesy, all the charms of eloquence, are here; but the foundation of all wisdom, moral principle, is wanting. Mr. Preston approves and applauds the suspension of specie payments by the banks—an act of flagrant immorality in itself, perhaps excusable from necessity, but even then only so far as that necessity is not imputable to themselves. The suspension of specie payments is a breach of faith, a general violation of promises, and a dissolution of the right of property, the foundation of human society. A little leaven leaveneth the whole lump.

In the evening I read two or three chapters in M. L. Davis's Memoirs of the Life of Aaron Burr. There is something romantic in his Canada campaign with Arnold and Montgomery. He seems to have had a passion for high adventure, an inflexible will, and invincible perseverance in pursuing it, but no judgment in adapting his means to his ends, and a capricious levity in passing from an object obtained to one unattainable. Ambition of military fame, ambition of conquest over female virtue, was the duplicate ruling passion of his life. His headstrong obstinacy in going with Arnold to Canada might have been admirable if dictated by pure and

devoted patriotism; but the same spirit urged him to leave Arnold, and to execute his determination in defiance of his remonstrances and of all military subordination. The account of his very brief residence in the family of General Washington is not clearly given. Washington saw through him at a glance; there was nothing congenial in their characters to each other. His adventures with Miss Moncrieffe, afterwards Mrs. Coghlan, form rather a pleasant episode. Mr. Davis censures with sufficient severity Burr's preposterous vanity in affecting to be an "homme à bonnes fortunes," but does not cast over it the ridicule which it deserves.

24th. I read this evening a few chapters in the Memoirs of Aaron Burr. There is an account of his saving Silliman's brigade in the retreat from Long Island in 1776, which affects very seriously the reputation of General Knox; and who is there living to defend him? It is difficult to tell what is history in the details of our Revolutionary War; but so it is of many of the events passing before us. In the controversy which arose from the battle of Monmouth, Burr took the side of Lee, and he was of the party of Lee and Gates against Washington. When appointed Lieutenant-Colonel of Malcolm's regiment, he wrote an impertinent letter to General Washington, accepting the appointment, but complaining that others, his juniors, had been promoted before him. He suffered so much in his health, in consequence of the excessive heat and fatigue at and after the battle of Monmouth, that he asked for a furlough, to be without pay but not to lose his rank. Washington granted the furlough, but declined to withdraw his pay. He preferred to remain in active service, and was stationed at West Point for the superinspection of the neutral ground. His accounts of the scouting-parties are scarcely credible. This part of his life, however, is very interesting.

26th. To the Presbyterian Church, where Mr. Fowler preached from 2 Corinthians ii. 15: "For we are unto God a sweet savor of Christ, in them that are saved, and in them that perish." 16: "To the one we are the savor of death unto death; and to the other the savor of life unto life. And who is sufficient for these things?" The last clause was omitted from the text.

The thought is one of the difficulties of St. Paul's writings; a sweet savor in Christ in them that perish, a sweet savor of death unto death, needs explanation to convey the thought. But the meaning seems to be, that the gospel ministry, when unsuccessful, becomes itself an instrument of destruction. Mr. Fowler preached with great earnestness, and made warm appeals to the impenitent of his congregation. That man is a vicious, wicked animal is the fundamental doctrine of the Christian religion. That he cannot save himself from eternal punishment is the doctrine of the Catholic churches, and of Calvin. If he cannot save himself, he is not a responsible being; that is the conclusion of justice, and a conclusion from which I could not escape if I would. The mission of Christ was to teach all mankind the way to salvation. His death, an ignominious death, was necessary to the universal spread of His doctrine. He died for mankind, as Curtius died for his country, as Codrus died for his people. In this sense I can believe the doctrine of the atonement, and in no other. Christ died as a man, not as God; and although His death was attended with peculiar circumstances of horror, it was, after all, but death—which the Stoic of Greece and Rome denied to be an evil, and which the Indian savage inflicts and defies with equal indifference. In the same sense the Christian doctrine may be "a savor of death unto death unto them that perish;" but death is only the termination of existence upon earth, and what the apostle means by perishing is still undefined.

28th. I answered a letter yesterday received from Mr. Robert Gilmor, of Baltimore, and it consumed the leisure of the day. It was on the important question whether the inscription upon the Washington monument at Baltimore, commemorating his appointment as Commander-in-Chief of the American armies of the Revolution, should be the 15th of June, 1775, the day of his appointment, or the 19th, the date of his commission.

29th. Morning visit from James Whitcomb. We had some conversation upon his genealogical enquiries concerning the Whitcomb family, of which I could give him no information which would be acceptable to him, and therefore gave him none. He is chiefly anxious to obtain information about Simon

Whitcomb, one of the grantees of the charter of Charles the First, and who, he says, is mentioned in Hutchinson's History. But his chief purpose was to show me a letter from Jotham Lincoln, of Hingham, concerning Whitcomb's project of obtaining for him the office of Collector of the Customs at Boston. Lincoln is very anxious to get the office, but says he is an opponent of the present Administration, and that he can make no compromise of the freedom of his opinions. He says he has always been a warm and steady friend to me through good report and evil report, and seems inclined to write to me on the subject. Mr. Whitcomb enquired if he might answer that this would be agreeable to me.

I said, certainly; he might assure Mr. Lincoln of my personal respect and regard, and of my willingness to render him any service in my power; but it would be fitting he should know that there was not, perhaps, in either House of Congress a member more opposed not only to the Administration, but to all its present measures—not only to the President of the United States, but in a special manner to the Secretary of the Treasury and his management of the revenue and finances. I had felt it my duty to assail them openly, unequivocally, and without reserve in two speeches at the late session of Congress, both of which had been published. It was therefore obvious that, in the first place, I could not with propriety or self-respect ask any favor of the present Administration, and especially of the Secretary of the Treasury; and, secondly, if I should recommend any person to him for an office, that my recommendation would operate as an effectual exclusion of the candidate whom I should favor. It was known that during the whole of the last Administration I had not been upon speaking terms with the President. Though I had served him more than any other living man ever did, and though I supported his Administration at the hazard of my own political destruction, and effected for him, at a moment when his own friends were deserting him, what no other member of Congress ever accomplished for him—an unanimous vote of the House of Representatives to support him in his quarrel with France; though I supported him in other very critical periods of his

Administration, my return from him was insult, indignity, and slander.

It was not so between me and Mr. Van Buren. My relations with him had never been unfriendly, and I now occasionally visited him. But his leading friends in the House of Representatives sided against me in the deadly onset upon me last winter from the South; and I had in vain tendered the olive-branch to him and them at the late session, by the offer to vote for the measures of relief to the Administration if they would give a pledge for the payment of the fourth instalment of the deposits on the 1st of January, 1839, by appropriating the money for it.

Mr. Whitcomb said he believed there must and would be soon a change in the policy of the Administration, though he did hear that there had been since the close of the late session, and still continued, an active correspondence between J. C. Calhoun and President Van Buren. He said he had taken the liberty to say and to write to Mr. Dickerson, the only member of the Cabinet with whom he had a personal acquaintance, that unless the Administration should give more countenance to the old Republican party in Massachusetts they would lose all their friends there. However that may be, there is not a symptom of a change in the policy of the Administration.

30th. Mr. G. W. Cherry was here again this morning, and I had a long conversation with him upon his project of colonization. He is one of the most benevolent visionaries of that fraudulent charitable institution, the Colonization Society. His plan is, to raise a fund for purchasing a number of slaves and locating them in small villages, where they may in a given time purchase their freedom by their own labor. I freely gave my opinion to Mr. Cherry: that the whole colonization project was an abortion; that as a system of eventual emancipation of the slaves of this country it was not only impracticable, but demonstrated to be so; that as a scheme for relieving the slave States of free negroes its moral aspect was not comely, and it was equally impracticable. I held this opinion when the existence of the Colonization Society was first made known to me, in September, 1817. Every day's experience had confirmed me in it from that time to this. I have never taken any part against

the Colonization Society; but I never joined it, never attended any of its meetings, and never believed in its usefulness. I observed that by the very last accounts published by the Society itself it appeared that even now, after twenty years of continued migration to the settlement, they were starving for want of bread, with a fertile soil and a latitude close upon the equator. And the cause assigned for it is, that the colonists waste their time in idleness and will not work.

Mr. Cherry had little to say in reply to this, but he took my remarks in kindness, and thanked me for the attention that I had given to his plan in the African Repository, which I returned to him.

I called at the Department of State, and enquired of Mr. Forsyth if there was upon its files a letter from Moses Austin, the first settler from the United States in Texas, to me, written between 1819 and 1822. He said he would have search made, and let me know. I spoke of the note received from him last Monday, and of my answer. He said that in the correspondence with the Mexican Government concerning the improper publication of Mr. Gorostiza, they had alleged that the American Commissioners at Ghent had made some such publication. He thought it was in consequence of something said in debate by Mr. Clay at the late session of Congress.

December 3d. At the Presbyterian Church I heard a stranger preach from Galatians vi. 14: "But God forbid that I should glory, save in the cross of our Lord Jesus Christ"—the first part of the verse. The preacher soon gave notice that by the cross of Jesus Christ was understood what was usually called the atonement; and then came the whole Presbyterian Creed—the fallen condition of man, his utter inability to do anything for his own salvation, the necessity of a vicarious sacrifice to atone for irremissible crimes, and the ignominious death of Almighty God as a malefactor. I can hardly preserve my gravity when I observe the fervor and seeming sincerity with which these young men dwell upon this argument, as if they really believed what they say. I believe that Christ died for man as Warren died for his country. Why, in the counsels of Divine Providence, His death was necessary, transcends my capacity of com-

prehension. If, as the Calvinists believe, Christ was Incarnate God, His death was the death only of the mortal part—of man, not of God. That the soul of man suffers in its separation from the body I perceive and understand; but that Omnipotence should suffer is incomprehensible and incredible to me. That He should suffer by His own decree to save man, His own creature, from the penalty of His own law, is as conceivable to me as that He should be His own Son. That such a bundle of absurdities as the abuse of human reason has drawn from the Gospel of John and the Epistles of Paul should, after nineteen centuries of Christianity, overspread the intellect of so large a portion of mankind, is a mortifying and a melancholy contemplation. That it should have subdued and still hold in subjection minds of capacity far surpassing my own is a humiliating consideration. Indeed, almost the only instruction that I ever gather from the pulpit is humility; and the perverseness of my nature revolts continually against that. The Calvinistic doctrine of human depravity, so far as concerns the inspirations of the heart, is, I fear, too near the truth. I have much to answer for before God; I hope not much before man. God forbid that I should glory in anything! St. Paul might glory in the cross of Jesus Christ, for he had labored faithfully and effectively to achieve its victory over the world; but if the cross of Christ was necessary to my salvation, it affords me cause rather for mourning than for glory.

4th. Twenty-Fifth Congress, second session.

Almighty Father, look in mercy down.
Oh, grant me virtue to perform my part,
The patriot's fervor, and the statesman's art,
And with success my steadfast purpose crown.
Direct me to the paths of pure renown,
Guide my frail bark by truth's unerring chart,
Inspire my soul and purify my heart,
In thought, word, deed, preserve me from Thy frown.
My country's weal! be that my polar star;
Justice, the rock of ages, is Thy law.
And when Thy summons calls me to Thy bar,
Be this my plea Thy gracious smile to draw:
That all my ways to justice were inclined,
And all my aims, the blessing of mankind.

5th. Walk to the Capitol. Overtook and walked with C. C. Cambreleng. Talk about the weather, and Canada, where there are grave disturbances, and even insurrection; of the causes of which I know nothing, and of which I found he knew very little. As we were walking up the steps in the Capitol yard, we met David B. Ogden, a New York Whig of considerable note. As he passed us, Cambreleng said to me, "Why, he has got a new suit of clothes on the strength of his success." This was Cambreleng's characteristic manner; intending to rally me in the person of Ogden, as I happened to have on a new coat. He has been touched to the quick during the recess by the figure he makes in my speech on nouns, pronouns, verbs, and adverbs, and vented his spleen anonymously in the New York Evening Post.

The House, at noon, was called to order, and Mr. Muhlenberg, of Pennsylvania, reported from the joint committee to wait on the President that he had informed them he would make a communication to both Houses of Congress this day at twelve o'clock. The message was immediately afterwards delivered by his son and private Secretary, A. Van Buren. The reading of it by the Clerk took an hour and a quarter; after which Haynes, of Georgia, moved that it be referred to a committee of the whole House on the state of the Union—which was agreed to, as was his motion that fifteen thousand copies of the message, with the documents, and five thousand copies, without the documents, be printed for the use of the members. Elisha Whittlesey moved to reduce the whole to ten thousand copies, with the documents, for economy's sake, and to return to old habits. But Haynes said he had proposed only the same numbers printed of the message at the opening of the special session, and he thought there was at least as much reason for printing an equal number of this. Of the immense importance of the message, he would advert only to that part of it which related to Mexico. Haynes had Texas and slavery in his head, though in the message there was not a word about either.

The message gave me a fit of melancholy for the future fortunes of the country. Cunning and duplicity pervade every

line of it. The sacrifice of the rights of Northern freedom to slavery and the South, and the purchase of the West by the plunder of the public lands, is the combined system which it discloses. It is the system of Jackson's message of December, 1832, covered with a new coat of varnish. Jackson was dashing and daring; this man is insinuating and plausible. Their characters are comprised in the names of Shakspeare's two catchpolls—Fang and Snare.

6th. In the House. There were several resolutions offered. That of E. Whittlesey was, with his own consent, postponed till to-morrow—falling into the old and beaten track, the error of which consists, first, in parcelling out all the business of the House among standing committees; secondly, in authorizing the Speaker to appoint them all and to designate their Chairmen; and, thirdly, in that domination of party spirit which rules over the House, the Speaker, and the committees—the irradicable infirmity of human nature. It would perhaps be possible to reduce the number of the standing committees or to appoint them by lot. They might indeed be all appointed on the first day of the session, and ought to be. The consequence of the present mode of transacting business is almost a total loss of the first week of the session.

Mr. Underwood's motion, that an addition should be made to the eighty-third rule of the House, requiring the Clerk to compile a separate journal of all the lists of yeas and nays, to be distributed, at the close of every session, among the people, was taken up; feebly opposed by Haynes, Rencher, and Boon; forcibly by Hamer; to all of whom Underwood replied, without support from any quarter. At Hamer's motion, it was laid on the table.

The other resolution offered by Underwood, calling on the Secretary of War for information concerning the employment of Indians in the Florida war against Indians, was adopted without opposition, with an amendment proposed by Briggs, and accepted by Underwood, requiring a statement of the expense of these Indian auxiliaries.

In the evening I wrote to Mr. Philip Ammidon, and read in the second volume of Burr's Life. Matthew L. Davis, its author,

is here, as he has been during several late sessions, as a correspondent of the New York Courier and Enquirer. He writes under the signature of "The Spy in Washington." He came to my seat this morning, and I told him I was reading his book. His account of the origin of the political parties in New York during the Revolutionary War, and of their subsequent bearing on the fortunes of Burr, throws some light upon the history of the time. The failure of my father's re-election in 1801 was the joint work of Burr and Alexander Hamilton; and it is among the most remarkable examples of Divine retributive justice, that the result to them was the murder of one of them by the other in a duel, and the irretrievable ruin of the murderer by the very accomplishment of his intrigues. Even-handed justice never held a better-balanced scale. Between my father and Jefferson the final decision of that same justice was reserved for a higher state of being. The double-dealer succeeded in this world; yet his death-bed was less tranquil and composed than that of him whom he had wronged. Jefferson's hypocrisy and duplicity in the scenes of his election as President are exposed in glaring colors in these volumes; which, apparently intended to vindicate the character of Burr, do but set the seal upon his condemnation. But they fix an indelible stain upon that of Jefferson.

7th. A young man from the office of the National Intelligencer brought me a note from Mr. Seaton, asking for the manuscript of my two speeches at the special session on the Mississippi election, to be published in the paper to-morrow; which I gave him. I had returned yesterday to Mr. Gales the manuscript of Arphaxad Loomis's speech, which immediately preceded mine, and which Gales had lent me.

When I reached the Capitol this morning, I found the House in session, the clock having been set a quarter of an hour in advance of the city clocks generally. The order for the appointment of the standing committees was now passed, and Haynes, of Georgia, moved that the House should now resolve itself into a committee of the whole on the state of the Union, to take into consideration the President's message.

It was objected that this had never been done until the

appointment of the standing committees had been made and announced to the House.

Haynes did not press his motion, but moved that the resolutions, which he gave notice he should offer, be printed; which was agreed to.

A message was received from the President, with sundry documents; which were laid on the table. W. Cost Johnson modified his call upon the President for information why the exploring expedition had not sailed; and it was adopted. At twenty-five minutes past twelve by the clock the House adjourned.

I invited the members of the Massachusetts delegation to meet in the chamber of the Committee of Manufactures, and they all attended excepting Mr. Borden, whom I had not an opportunity to notify. Briggs, Calhoun, Cushing, Fletcher, Grennell, Hastings, Lincoln, Parmenter, Phillips, and Reed were there. I told them I had called them together to consult them upon the disposal which should be proposed to be made in the House of the petitions and memorials against the annexation of Texas to the Union, of which I had now about forty to present; and also of the various petitions relating to slavery, of which I had ten or twelve. The petitions would be called for next Monday, to which day the House had adjourned, and I thought that would be the time for calling up all the petitions and memorials on the same subject, and then, by the general order, laid on the table. My own idea and purpose was, in presenting the first petition, to move that it be referred, together with all those on the same subject presented at the special session, to a select committee, to consider and report thereon. I did not expect that the House would agree to this motion, but I thought it would be advisable to make it. The petitions relating to slavery I thought of moving to refer to the several committees on the District of Columbia, on the Territories, and of Commerce. I supposed, however, that the House would pass a resolution of the same import with that adopted at both sessions of the last Congress, that all such petitions, memorials, and papers be laid on the table without further action upon them by the House.

With regard to those against the annexation of Texas to the Union, I knew not what course the House would take, but I thought they should be referred to a select committee.

There was then a discussion of about two hours, in which very little difference of opinion was expressed, except by Mr. Parmenter, who is a strong friend and supporter of the present Administration. He disagreed to almost all the opinions expressed by the other members and me, but made no objection to the motions proposed by me to dispose of the petitions, and declared his willingness to agree to them. Most of the members took part in the discussion, and it was at last unanimously voted that I should make the motions for reference of the several petitions, as I had proposed. Mr. Hastings was inclined to have another meeting, to consider of the petitions relating to slavery, but the other members thought it not necessary.

As I was returning home, I passed in the Avenue by Mrs. Macomb without seeing her, till she called me back and asked me to vote for Mr. Fowler as Chaplain to the House—which I promised I would, and told her, laughing, that she made all our chaplains.

At home I gave some (time) to assorting petitions to be presented next Monday.

Read thirty pages of Burr's Life—the narrative and documents relating to the contested election between Jefferson and Burr for the Presidency of the United States, in February, 1801. The only thing new to me that I find in it is a letter from Samuel Smith to Richard H. Bayard and James A. Bayard, the two sons of the former James A. Bayard, dated in April, 1830, advising them to let well enough alone. In 1806 Bayard and Smith had given contradictory depositions concerning their negotiations with each other at the election of 1801, and each of them had then told me his story conformable to their respective depositions.

8th. Morning visits from Messrs. Slade, Russell, Clay, Milligan, and Phillips. I condoled with Mr. Clay on the sudden and melancholy decease of Dr. Kent, which he had with great sensibility announced last Tuesday to the Senate. He said he

had been much shocked on receiving the intelligence from a newspaper which was handed to him by a friend as he landed from the steamboat at Wheeling. Dr. Kent was one of those fortunate men, of good understanding, courteous manners, placid temper, and pure morals, who glide through the world in the most tempestuous times with the steady favor of their countrymen, scarcely affected by the mutability of popular opinions. For the last forty years Dr. Kent has been almost without intermission in public life—as a member of the Maryland Legislature, and of both Houses of Congress, Presidential Elector, and Governor of the State. He was universally respected, and his death is lamented by all who knew him.

Mr. Clay spoke to me also of the Mississippi election, which, he said, was unquestionably illegal. And he said Mr. Gholson himself had told him he thought it so. The most extraordinary fact of the case is, that both Gholson and Claiborne asseverated in the most positive manner, in the debate upon their election before the House, that the people of Mississippi at the election in August had universally believed that it was for the whole Congress. I knew that was impossible; but there was nobody to contradict them.

I told Mr. Clay that I was sick of contested elections. This is the third case since I have been a member of the House unjustly decided. In that of Letcher and Moore, the House stultified itself by shrinking from the decision which they had been forced to admit forced upon them. In that of Graham and Newland, they came within one vote of admitting the intruder, and they excluded the rightful member. But there has been no prostration of principle equal to that of this decision at the special session.

On the subject of the banks and their present condition we had some conversation, but I could not ascertain how Mr. Clay felt upon it, and how far he may be under bank influences. The Convention of bank delegates at New York concluded by calling another Convention, to meet next April. Mr. Clay said that Mr. Brackenbrough, who was a delegate to that Convention from one of the Virginia banks, and was now returning home, had told him there was a considerable manifestation of jealousy

between the banks of New York and those of Philadelphia by Mr. Gallatin and Mr. Eyre.

9th. I received this morning a letter from Russell Freeman, enclosing two papers with numerous signatures, recommending the appointment of him as Collector at New Bedford; and a sealed letter from William Foster, addressed to Martin Van Buren, President of the United States. I took that letter and the two certificates to the President and delivered them to him.

He spoke favorably of Mr. Freeman, and said he had endeavored to prevail upon General Jackson to retain him in office. He added that Mr. Woodbury had already communicated to him several other recommendations of Mr. Freeman, and that when the time for making the nomination should come he would give full consideration to his claims; but, he said, Mr. Woodbury had told him he did not know, but believed, that Mr. Williams, the present Collector, having been unfortunate in some speculations, would wish for re-appointment to the office.

I said I had no acquaintance with Mr. Williams, and not much with Mr. Freeman, personally. He had been a member of the Legislature, and of the Executive Council, of Massachusetts. I had been fifty years ago acquainted with his father, and the intimate friend of his brother, a class-mate of mine at the University, generally considered the first scholar in the class, and afterwards a member of Congress, though he died young —not much over the age of thirty. I had also been acquainted with a yet older brother, as editor of a newspaper and of a monthly magazine in Boston. Mr. Russell Freeman had been first appointed Collector at New Bedford by Mr. Monroe. In December, 1828, I nominated him for re-appointment; his commission being to expire on the 3d of March, 1829. It was one of a multitude of nominations upon which the Senate did not act through the whole session; and when Jackson came in, he nominated Francis Baylies, who was appointed, but declined accepting; but recommended Williams. All these proceedings were stimulated by Jackson's personal malignity to me. Baylies and Williams were federalists, rank as the compost of a

dunghill, and therefore bitter as wormwood against me. Baylies, in 1825, had, as a member of Congress, voted for Jackson as President, libelled me in the newspapers, and lost his election in consequence. He thought Jackson undervalued him, by the offer of the Collectorship of New Bedford, and Jackson, to appease him, gave him as a second sop the office of Chargé d'Affaires at Buenos Ayres. He went there; stayed there not three months—just long enough to embroil his country in a senseless and wicked quarrel with the Government; and, without waiting for orders from his Government, demanded his passports and came home. Nothing but the imbecility of that South American abortion of a state saved him from indelible disgrace and this country from humiliation in that concern. Jackson did not employ him again, and so he turned Bank Whig, and now is in decided opposition to Van Buren. He is one of the most talented and worthless men in New England. Russell Freeman had originally been of the Democratic party, but had also been, and continued to be, friendly to me. That was his crime with Jackson, who turned him out, first to put in Francis Baylies, and then Samuel Williams—blue-light federalists, but thorough-going haters and revilers of me. I said nothing of all this to Mr. Van Buren—not a single word even to insinuate the political opinions of either—nor a word against Williams or Baylies. We had some conversation about patronage and appointments, upon which his theories and mine do not so well agree as our experience. He says he considers it as a misfortune when any office to be filled by him becomes vacant, and thinks patronage rather a burden than a benefit.

12th. As soon as the journal was read, the Speaker called the States for petitions, beginning with Maine. When the turn of Massachusetts came, I waited till all the other members from the State had presented their petitions, and then offered, first, all the petitions and memorials which I had presented at former sessions, and which had not been finally acted upon, and had them referred to the appropriate committees. I then called up the memorial of Feuchtwanger, and a memorial from Vermont, praying for retrenchment and reform, and had them referred to the Committee of Ways and Means. They were referred to the

committee at the special session, but not reported upon. I moved the reference of the petition of Sherlock S. Gregory, praying for an Act of Congress declaring him an alien, to the Committee on the Judiciary; observing that since the close of the special session I had received another letter from him asking me to present again his petition, and to demand the action of the House upon it—a request which I had not felt myself at liberty to deny. The memorial was referred.

I then presented the petition of Nancy Ripley and two hundred and thirty-eight women of Plymouth, the principal town of the district that I have the honor to represent, remonstrating against the annexation of Texas to this Union, and I moved that, together with one hundred and ninety petitions, signed by more than twenty thousand signers, and a still greater number of petitions and memorials presented at the same special session by my colleagues of the Massachusetts delegation on the same subject, it be referred to a select committee.

Howard, of Maryland, Chairman of the Committee of Foreign Relations, moved that the reference should be to that committee.

I said that I had moved the reference to a select committee by concert with my colleagues and with their unanimous assent; that if the Chairman of the Committee of Foreign Affairs persisted in his motion, I should feel myself bound to assign my reasons for wishing to have the subject considered by a select committee.

The Speaker said, if debate arose, it must be postponed until to-morrow.

Howard said it was a subject proper for the consideration of the Committee of Foreign Relations, and he thought that the charge of persisting rather lay at my door.

Wise moved to lay both the motions and all the petitions and memorials on the table; but the Speaker said that would not now be in order, but would be when the subject should be taken up to-morrow.

I next presented a petition for the abolition of slavery and the slave-trade in the District of Columbia, and moved its reference, with all the petitions on the same subject presented

at the special session, to the Committee on the District of Columbia.

Wise moved to lay all these upon the table; which was carried, by yeas and nays—one hundred and thirty-five to seventy-three. I offered several others, with the same result, till Lawler objected to receiving one; but upon the yeas and nays the vote was one hundred and forty-four to sixty to receive, but it was immediately laid on the table. Then I presented a petition for the abolition of slavery in the Territories; which again was laid on the table, by a vote of one hundred and twenty-seven to seventy-three. I then left the remaining anti-slavery petitions to be presented hereafter, and presented a petition of Amos C. Morey, on banking and currency, which, at my motion, was referred to the Committee of Ways and Means. The call for petitions then proceeded as far as Pennsylvania, when, about three o'clock, the House adjourned.

13th. Publication this morning in the Globe and National Intelligencer, by six members of the Committee of Ways and Means, against Richard Fletcher, member from Boston, and a member of the committee. Mr. Cushing called here this morning, and told me that Mr. Fletcher proposed giving an explanation at the meeting of the House, and wished me to be in attendance. I rode to and from the Capitol. The meeting was opened with prayer by Mr. Pease, the Chaplain of the House.

After the reading of the journal, Mr. Fletcher, referring to the article in the Globe, asked leave of the House to make an explanation; which was granted. The publication of the six members was a passionate and elaborate attempt to prove the falsehood of a report in the Boston Atlas of a speech made by Fletcher at a caucus in Faneuil Hall, in which he exposed the subserviency of the Committee of Ways and Means to the Executive. Mr. Fletcher said that the report was incorrect as to details; that it was not made nor authorized by him; that he had not seen it till after it was published, and that he held himself not responsible for it; that the meeting at which he had spoken was not, as the joint publication alleged, to celebrate Whig victories, but a regular annual meeting preparatory

to the election; that he was then called upon to address his constituents, and considered it his duty to inform them of the state of things here at the special session of Congress, from which he had just returned, and at which he, a new and inexperienced member, had been appointed by the Speaker a member of the Committee of Ways and Means. He had seen what he thought an improper influence exercised by the Executive Departments in the proceedings of the committee and of the House. He had said so to his constituents, and he still retained that opinion. But the report of his speech was altogether inaccurate in the details, upon which the six signers of the publication in the Globe this morning dwell so earnestly, and which he disavowed. He complained of the manner in which they had chosen to make this publication, without first calling upon him to know whether he had spoken that which they had chosen to consider as personally offensive; and under these circumstances he asked of the House to be discharged from further service on the Committee of Ways and Means.

Cambreleng, Chairman of the committee, Atherton, of New Hampshire, and Jones, of Virginia, with leave of the House, answered Mr. Fletcher, and insulted him with coarse and abusive language. Jones began with great formality, by asking if Fletcher avowed the report of his speech at Faneuil Hall as published in the Boston Atlas, and said that what he should say would depend upon the answer to that question.

Fletcher had already explicitly disavowed the details of that report, and did so again; and then Jones went on and made his speech as he had gotten it by heart, as if Fletcher had avowed every word of the report, and concluded by saying that it was a base falsehood. Fletcher asked me if I thought he should reply to them; and I said no. They were six to one against him. The whole proceeding was a party movement to bully down Fletcher and to brazen out their own delinquency; and there was in the House a majority to back them. He could have given no suitable answer to Jones without including in it the lie direct, and that would have produced violent disorder in the House, and probably violence out of it.

He was discharged from further service on the Committee of Ways and Means.

I spoke perhaps an hour in support of the motion to refer the memorials and remonstrances against the annexation of Texas to this Union to a select committee, and not to the Committee of Foreign Affairs.

Howard made no reply. Rhett, of South Carolina, and some others of the slave-holders, were ferocious for battle, and claimed the right to answer me. But Wise said I had made an intemperate speech, and renewed his motion of yesterday, that all the memorials concerning Texas, and both the motions, Howard's and mine, for reference of them to committees, should be laid on the table; which was carried—one hundred and thirty-seven to sixty-eight.

I was this evening under deep agitation of mind, reflecting upon what had occurred this morning in the House, both to Mr. Fletcher and to myself; meditating upon the course proper for me to pursue hereafter; upon the moderation which reason and Christian charity and sound policy all concur to prescribe, and from which the unruliness of my temper so often urges me to depart; and upon the firm and daring spirit which a sacred sense of duty enjoins upon me as equally indispensable to the cause almost exclusively committed to my trust.

14th. H. R. U. S. Briggs was announced as the member of the Committee of Ways and Means, appointed in the place of Mr. Fletcher. He asked my advice whether he ought to accept, and at first, without much reflection, I said, yes; I saw no sufficient reason for him to decline, but I thought he was bound to take a firm and resolute stand in the committee, and compel them to do their business in a very different manner. Soon after, Mr. Phillips told me that Briggs had asked his advice, which was, that he should not accept; and he thought no member of the delegation should consent to serve on that committee; and I understood from him that other members of the delegation held the same opinion. I therefore told Briggs that, in deference to the opinions of the other members, he must consider my advice first given as withdrawn.

Here is a gap in the diary. The entries that follow are taken from a book of minutes, kept with a view to fill them out at some future day—a day which never came.

16th. Meeting of Massachusetts delegation at the chamber of the Committee of Commerce—Borden, Briggs, Calhoun, Grennell, Hastings, Lincoln, Phillips, Reed, Cushing, Fletcher; and Parmenter absent. Wolff's lecture from eleven to half-past one. Massachusetts delegation returned to chamber of Committee of Commerce. Conversation and various opinions concerning the attack of six members of Committee of Ways and Means against R. Fletcher. Briggs finally to take his own course.

18th. H. R. U. S. Rode to and from the Capitol. Petitions and resolutions; beginning with Wisconsin.

Met delegations of Massachusetts and Maine. Evans's notice of a bill to draw the Northeastern boundary line approved nem. con., but Governor Lincoln declined voting, and told me the reason—that he distrusted the men of Maine.

Briggs declined serving on Committee of Ways and Means. Many abolition petitions. I presented petition of thirty members of N. Y. Peace Society for peace with Mexico. Moved that it be printed and referred to a select committee, with instructions to read, consider, and report thereon.

Howard moves reference to Committee of Foreign Affairs.

I move the instructions as amendment; debate; laid over one day. I offered a call on P. U. S. for copy and translation of Gorostiza's pamphlet, and the name of the foreign Minister who communicated the copy of it to the Secretary of State. I presented anti-abolition petition from Duxbury. Moved it should be printed and referred to the Committee on the District of Columbia. Dromgoole moved it should be laid on the table; carried. I presented about thirty abolition and anti-Texan petitions; all laid on the table.

19th. H. R. U. S. Horace Everett appointed a member of the Committee of Ways and Means; declined.

Committee of the whole on the state of the Union, myself in the chair. Haynes's third resolution, as modified, excluding

the bank question, debated. Duncan, a toe-the-mark man; Ewing; Christopher H. Williams, of Tennessee, attacks a dinner speech and toast of Polk's. Long and able speech of C. Cushing, concluding with offering two resolutions, substitute for Haynes's third resolution. Sparring between Cushing, Jones, and Wise, and Cambreleng. Committee rise. Cambreleng moves the printing of Cushing's resolutions; agreed. Buckingham came and said he thought he should go homewards to-morrow, and wished to have some conversation to-morrow; I agreed to meet him at eleven.

20th. Buckingham;[1] tender of friendship; accepted. Excuses for the past; promised to send me his paper, he said, without charge; but I shall subscribe. He leaves this evening.

I notified members of the Committee of Manufactures to meet me at eleven to-morrow morning.

H. R. U. S. Cushman moved to suspend the rules to go into committee of the whole on the Union, but failed.

Slade's motion of Monday, to refer a petition for the abolition of slavery and the slave-trade in the District of Columbia to a select committee, came up.

Polk, the Speaker, by some blunder, had allowed Slade's motion for leave to address the House in support of the petition without putting the question of laying on the table. So Slade to-day got the floor, and, in a speech of two hours on slavery, shook the very hall into convulsions. Wise, Legaré, Rhett, Dawson, Robertson, and the whole herd were in combustion. Polk stopped him half a dozen times, and was forced to let him go on. The slavers were at their wits' end. At last one of them *objected* to his proceeding, on the pretence that he was discussing slavery in Virginia, and on this pretence, which was not true, Polk ordered him to take his seat. A motion to adjourn, made half a dozen times before out of order, was now started, and carried by yeas and nays.

[1] J. T. Buckingham, long the editor of the Boston Courier, and one of the most bitter of the revilers of Mr. Adams. On this occasion he came voluntarily to his desk in the House and asked to shake hands with him, promising at the same time never to write another word in derogation of him. This promise he not only religiously kept, but followed it up with frequent marks of good will.

Formal notice was immediately given by a member of a meeting of all the slave-holding members in the chamber of the Committee on the District of Columbia. Most, if not all, of the South Carolina members had left the hall.

21st. H. R. U. S. The journal had disfigured and falsified the transactions. Slade moved to amend the journal so as to state the facts correctly; but his motion was rejected. Patton had a resolution ready drawn, agreed upon at the slavery meeting of yesterday—a resolution like that of the 16th of January last—that no petitions relating to slavery or the trade in slaves in any State, district, or Territory of the United States shall be read, printed, committed, or in any manner acted upon by the House.

I objected to the reception of the resolution, and Patton moved to suspend the rules; which was carried—one hundred and thirty-six to sixty-five; and, after a speech, he moved the previous question; which was carried, as was the resolution.

When my name was called, I answered, "I hold the resolution to be a violation of the Constitution, of the right of petition of my constituents, and of the people of the United States, and of my right to freedom of speech as a member of this House."

I said this amidst a perfect war-whoop of order. In reading over the names of the members, the Clerk omitted mine. I then mentioned it, and the Speaker ordered the Clerk to call my name again. I did not answer, but moved that my answer when first called should be entered on the journal. The Speaker said the motion was not in order; that the only answer that could be given was aye or no. I moved that my motion might be entered on the journal, with the decision of the Speaker that it was not in order; to which he made no answer.

22d. H. R. U. S. On the reading of the journal, I found my motion, yesterday made, to insert on the journal my answer to the gag resolution. I moved to amend the journal, by inserting that when my name was called, I rose, and said, "I hold the resolution to be a violation of the Constitution of the United States, of the right of petition of my constituents, and of the people of the United States, and of my right to freedom of speech as a member of this House."

Boon asked if my motion was debatable. I said I hoped it was, and that the House would allow me to debate it. Boon moved to lay my motion on the table. I asked for the yeas and nays, but they were refused, and the motion was laid on the table; but my answer was entered on the journal.

Patton had come charged with a speech to prevent the entry upon the journal. Boon's motion to lay mine on the table balked him, and I bantered him upon his resolution, till he said that if the question ever came to the issue of war, the Southern people would march into New England and conquer it.

I said I had no doubt they would if they could, and that it was what they were now struggling for with all their might. I told him that I entered my resolution on the journal because I meant his name should go down to posterity damned to everlasting fame.

He forced a smile, and said we should then go down together. I replied, precisely; side by side; that was what I intended. So conscious was he of the odious character of his resolution that he dared not resent these remarks, but he dared not object to Boon's motion to lay mine on the table; which precisely answered my purpose, of having my answer entered upon the journal. He soon after rose from his seat and left the House.

I had a long conversation with Mr. Cushing upon certain parts of his speech on the collection and keeping of the public revenue, particularly upon Washington's proclamation of neutrality in April, 1793.

I was called out to attend a meeting of the Massachusetts delegation, to consult upon what can be done for Mr. Fletcher —the Boston Atlas having come out violently against him for his disavowal of parts of his speech in Faneuil Hall, as reported in that paper. They affirm that he revised and corrected the speech before it was published, and afterwards revised a pamphlet edition of it, for the publication of which he partly paid, and circulated great numbers of them by his frank. Between Haughton, the editor of the Atlas, on one side, and the six members of the Committee of Ways and Means, on the other, his case is very distressing. The fact is said to be, that Hildreth reported the speech; that it was given to Mr. Fletcher

to revise, but that, being much engaged in other business, he did not revise it. And now he stands charged with calumny, prevarication, and falsehood, when in fact he is a man of strict veracity, incapable of any wilful falsehood or misrepresentation. Phillips told me that James T. Austin, who wants to supplant Fletcher and come to Congress in his place, was at the bottom of the explosion in the Atlas; and Haughton is a man who cannot fail to ruin any cause which relies upon him. There is an article in the Boston Daily Advertiser, well written and sensible and cool, upon the subject. Reed undertook to have this republished in the National Intelligencer; and that was all that the meeting could agree upon. The members present were Briggs, Calhoun, Grennell, Hastings, Lincoln, Phillips, Reed, and myself. I would gladly aid Mr. Fletcher, but Haughton has made it impossible for the present. I walked from the Capitol with Phillips, and parted from him at the corner of Seventh Street, in which he lodges.

25th. Four members from New York—Fillmore, Marvin, Mitchell, and Peck—came and requested me to draw up a paper to address to their constituents, assigning their reasons for voting against the resolution for laying all abolition petitions on the table. They said they wished to guard against the imputation of favoring abolitionism, but to adhere inflexibly to the right of petition. I drew up, accordingly, a sketch of an address to the people of the State of New York according to their ideas. I walked out, and called at Mr. Fendall's. He was at dinner, but came to me in the parlor. I had received a note from him this morning, enquiring if I had ever been appointed a Judge of the Supreme Court of the United States. I referred him to the Executive journal of the Senate of February, 1811. He said that William Smith, heretofore of South Carolina, now of Alabama, was last winter (appointed) a Judge of the Supreme Court of the United States, and declined accepting the appointment, and has published some newspaper effusion in which he boasts of being the only person who ever refused that office. Fendall said he had told Niles that he believed I had declined the same appointment, but was not certain. I told him I thought it had also been declined by Thomas

Johnson, of Maryland; but on returning home and examining the Executive journal I found that he accepted, and held the office about one year.

26th. H. R. U. S. I gave to Mr. Fillmore the paper that I had, at the request of him and his three colleagues, drawn up, and told him it was entirely at their disposal, to use in whole or in part, or to alter or reject, as they might please. He said it was rumored to be the intention of the members from New York who voted for the speech-smothering resolution to address the people on their side.

I watched the reading of the journal, and found it stated properly the precise words of my answer on the call of yeas and nays upon the smothering resolution. My answer, therefore, stands recorded upon the journal. The Speaker announced the question upon my proposed amendment to Howard's motion to refer the petition from the New York Peace Society to the Committee of Foreign Affairs. My amendment was to instruct the committee to read, consider, and report thereon. I now modified the amendment by striking out the word "read," and leaving only, "to consider and report thereon." Howard made a whole day's debate in opposing this instruction. I had to debate it alone. Tillinghast, of Rhode Island, half supported and half abandoned me. Underwood and Graves would have assisted me, but without effect. I gave up every part of the amendment excepting to report; and a majority of the House refused that. I then spoke against the reference to the Committee of Foreign Relations, till the House was deserted. When the question was taken, the vote was sixty to thirty-three; no quorum. The House adjourned, and it was near four o'clock. Wind and tide are against me on this subject, and, between the thirst of the slave-holders for Texas and the apathy of the opposition Presidential canvassers, I shall have a heavy task to preserve the peace.

27th. H. R. U. S. After the reading of the journal, the Speaker announced that he had received a communication from Messrs. Shepard G. Prentice and T. J. Word, claiming seats as members of the House, accompanied by documents in support of their claim—the authenticated certificate by the Gov-

ernor of the State of Mississippi of their election; and Cambreleng moved it should be referred to the Committee of Elections. A debate of nearly three hours then arose, in which various propositions were made, among which one by Graves, of Kentucky, that the claimants should have seats assigned to them, and be permitted to take part in the discussion upon their claim; which was finally rejected, by yeas and nays—ninety to eighty-seven; sixty-five members absent or not voting; but had all been present the result would have been much the same. The claim referred to that same committee which, at the special session, reported the resolution that Gholson and Claiborne, chosen for that special session, were members from the State of Mississippi for the whole Congress. Everett moved, as an amendment, to report the facts; which was adopted. He intended it as a curtailment of the power of the committee; but their report will break through that cobweb. There is no act of this Congress which has displayed so total a prostration of principle before party as that decision.

28th. The order of the day was the question upon the reference to the Committee of Foreign Relations of the petition from the New York Peace Society. Howard, apparently under great embarrassment, retracted all his assertions made on Tuesday, denying that there had been any decree of the Mexican Legislature proposing eventually the reference of the disputes between us and them to the arbitration of a friendly power. He now, with a multitude of apologies for the irregularity of his proceeding, produced a translation of the Mexican decree itself, dated the 20th of May last, and communicated to this Government on the 23d of this month—that is, the day after his denial of its existence, in the House. There was a second article of the decree, authorizing the Government, in the event of the final denial of justice by the United States, to close the ports of Mexico against our commerce and to prohibit the use of our manufactures. Howard dwelt much upon this as a proof of a hostile spirit on the part of Mexico, and charged the petitioners with suppressing this part of the decree.

I answered him, and insisted upon my objections to the Committee of Foreign Affairs, as unfit to have this petition

referred to them. I said that the changes in the committee made it only the more objectionable, and referred particularly to Legaré, of South Carolina, and Patton, of Virginia, both of whom had been put upon the committee, as if for the express purpose of plunging the country into a war with Mexico.

Patton was absent, and Legaré, who was present, complained that I should personally designate him.

I replied that for the personal and private character of both the gentlemen I entertained high respect, but, as it had been urged, in answer to my objection to the committee, that a majority of them were not the same with those who had made the report last winter, I was obliged to show that the change had only rendered the committee more objectionable. I asked for the yeas and nays upon the reference to the Committee of Foreign Affairs, and they were for the reference—one hundred and seventeen to fifty-five. Cushing, a member of the committee, voted for it. I told him I should require a report, and if the majority would not make one, the minority might.

In this whole debate I have had no support from a single member of any party. I asked leave to offer a call upon the President upon what Act of the House of Representatives in the last Congress it had appeared that they concurred in the opinion of the late President, that the state of our relations with Mexico would have justified then a resort to arms; but this was denied.

I moved that the memorial of the New York Peace Society should be printed. The Speaker said, "The gentleman from Massachusetts asks leave to make a motion." Objection was made, of course. I asked if the motion was not matter of right. He said it would have been before the commitment, but in the protracted debate on the question of commitment I had forgotten to insist upon having the question of printing taken with it. This trickery at every step, taken with regard to the petition from the Peace Society, shows how annoying it is to the war projects of the Administration.

29th. I wrote a letter to Benjamin Lundy for publication, and was occupied in revising my speeches in the debate of Tuesday, reported by Stansbury, in three parts. I required of

Mr. Gales that he should precede the debate by publishing "in extenso" the petition of the New York Peace Society. Gales told me that he had it, with an order to print endorsed upon it. I consented, therefore, that to precede the debate he should give only a synopsis of it. I told him, however, that I believed he was mistaken about the order for printing; but he insisted he was not. He wanted all the three parts, to print the whole debate in one day's paper, but I had accidentally left the second and third parts in the carriage when I rode to the Capitol. My wife afterwards sent them to me; but it was too late. I finished the revisal of them and gave them to Stansbury.

H. R. U. S. Whittlesey, of Ohio, moved that the standing committees should have leave to report, and that the House should then proceed to the consideration of private business; but they refused, and the day was consumed in receiving petitions, memorials, and resolutions. I presented the petition of Adam Brooks for a reward and compensation for his silk-spinning wheel, and the memorial of James T. Morsell and others, asking an appropriation of land in this city for the culture of silk—which were referred to the Committee of Manufactures; the petition of Edward C. Cooper, M.D., setting forth his discoveries for the conduct of human life—referred to the Committee on the Judiciary; the petition of John and Nathaniel Thomas, sons of Major-General John Thomas of the Revolutionary War—referred to the Committee on Revolutionary Claims; petition of Sherlock S. Gregory that Congress would institute an enquiry into the drowning of three hundred Indians in a steamboat—referred to the Committee on Indian Affairs; petition of John Wilcox and others that Congress would recognize the independence of Hayti—referred to the Committee on Foreign Relations. I then presented several bundles of abolition and anti-slavery petitions, observing that having declared my opinion that the resolution to lay all such petitions (on the table) was unconstitutional, null and void, I should submit to it only as to physical force; I should leave the House, therefore, to dispose of the petitions as they pleased; and they were all laid on the table. The anti-Texas memorials and petitions were all laid upon the table successively.

I stated that I had a petition for the repeal of the resolution of the 21st instant, which I should not now present, but gave notice that on presenting it I should move that this infamous resolution should be rescinded.

There were many other anti-slavery and anti-Texan petitions presented, and resolutions by the Legislature of Rhode Island; which, at the motion of Mr. Tillinghast, were laid on the table and ordered to be printed. The call for petitions was carried through the States and Territories; and, after three, the House adjourned.

I enquired of Mr. Franklin if the petition from the New York Peace Society had been ordered to be printed; and he said no. I went to the Intelligencer office and enquired about it there of Mr. Seaton and of Gales. It appeared that Gales had the petition, with the order to print endorsed upon it, but that some counter-order had been given. I expostulated both with Seaton and Gales, who at last promised me that it should be printed entire, with the second and third parts of my speech, next Monday.

While I was at the office, J. C. Calhoun, and Garland, of Virginia, successively came in with manuscripts of their speeches. Calhoun looks like a man racked with furious passions and stung with disappointed ambition, as he is. The House adjourned over till next Tuesday.

January 1st, 1838.—The new year began with one of the most beautiful days that the course of the seasons ever brought round—a clear sky, a bright sun, a calm atmosphere, and all physical nature moving in harmony and peace. The President's house was open, as usual, from eleven in the morning to eight in the afternoon, and was crowded with visitors innumerable. I was not among them. I have found it necessary to assume a position in public towards him and his Administration which forbids me from any public exhibition of personal courtesy which would import a friendly feeling. Mr. Clay, whose public position, not precisely the same as mine, differs little from it, went, and escorted Mrs. Bell, of Tennessee, wife of the late Speaker of the House, who was also there. They afterwards came here, as did about three hundred ladies and

gentlemen of those who had been at the President's house. Mr. Clay told me that he had twice during his visit spoken to Mr. Van Buren, and the second time congratulated him upon his happiness in being surrounded by *so many of his friends;* to which Mr. Van Buren answered, "The weather is very fine." No insignificant answer, for it implied his conscious assent to the satirical reflection implied in Clay's remark—fair-weather friends.

> "Donec eris felix, multos numerabis amicos,
> Tempora si fuerint nubila, solus eris."

I snatched a quarter of an hour before noon to call on Mrs. Madison, who also received many visitors. Just before reaching her house, I met Lewis Williams, and Mr. Graham, and Joseph L. Williams, of Tennessee, and thought they were going to my house; but, from a feeling of awkwardness at asking them the question, and the fear of losing my chance to visit Mrs. Madison, I passed by them with a slight salutation. Upon what slight shades of difference depends propriety of conduct in social intercourse! These three men intended me a civility. There are no three men more entitled to a kind and courteous return. Yet they must have felt themselves slighted, and I might have returned their kindness in a manner which would have gratified them. Am I too old to learn?

Among our visitors whom I did not expect were Mr. Forsyth, Secretary of State, with his wife and two daughters, and Mr. Poinsett, Secretary of War, alone. I have never had any personal misunderstanding with either of them. They are both under great political obligations to me; in return for which no two men have been more active or effective political adversaries to me. Politically, they have returned me unmixed unqualified evil for good; so has their chief, Martin Van Buren —though his obligations to me personally are incomparably less than theirs. His predecessor, Jackson's, obligations to me were incomparably greater, and were returned by still fouler and baser ingratitude. Forsyth and Poinsett, first as partisans of Crawford and Calhoun, deadly enemies to each other, afterwards as partisans of Jackson, my competitor, did everything in their power to ruin me in fortune and reputation, but always

bore to me a smooth face and gave me fair words. This is the hypocrisy of politics, to which I am obliged to submit, as to the fashion of the world; but which I cannot, and never could, practise.

3d. Morning visit from Mr. Heman Lincoln, of Boston, who thanked me with great sensibility for my kindness to Mr. Fletcher, his particular friend and associate as a deacon or elder of the Baptist Church, for supporting him against the base conspiracy of six members of the Committee of Ways and Means against him. He also thanked me, with strong expressions of confidence and gratitude, for the struggle, yet fruitless, in behalf of the right of petition, and the freedom of speech and of the press. I receive so many of these testimonials of warm and conscientious attachment, that I am in great danger of mistaking them for evidences of public opinion. The votes of the House upon every proposition that I offer, and the increasing contempt manifested for the right of petition, should be a continual warning to me that "He that trusteth in his own heart is a fool: but whoso walketh wisely, he shall be delivered."—Proverbs xxviii. 26.

H. R. U. S. Haynes moved to go into committee of the whole on the Union upon the message, but without success. Bell offered a resolution of instruction to the Committee of Elections concerning their report of facts on the Mississippi election. Cushman objected. Bell moved to suspend the rules, and succeeded. But, after nearly two hours of discussion, Bell's resolution, together with an amendment proposed by Cilley, of Maine, at the motion of Amasa J. Parker, of New York, was laid on the table, by yeas and nays—ninety-six to ninety-two. This vote settles the definitive decision of the House on this election: a blindfold majority of four or five will keep the usurpers Gholson and Claiborne in their seats, and turn off the members elected by the people of Mississippi, Prentiss and Word.

Reed moved a suspension of the rules, to take up the call for petitions where it was yesterday suspended; the Speaker having previously decided that the thirty days from the commencement of the session expired yesterday, and that hence-

forth petitions will be called for only on Mondays. Reed's motion was carried, and the States were called through from south to north, beginning with Virginia and ending with Maine. Cushing called up the resolutions of the Legislature of Massachusetts, which he had presented at the special session, moved their reference to a select committee, and declared his wish to address the House concerning them another day. After sundry stifling motions by the slave-holders, the Speaker decided that the resolutions came under the operations of the gag, and must be laid on the table.

I presented about a hundred petitions, memorials, and remonstrances—all laid on the table. But with them were the two petitions in a small manuscript book: one, signed by eighty-four women, praying that Congress would accept the proposal of the Mexican Congress to refer, in the event of our not being able to settle the differences between the two Governments by negotiation, their adjustment to the arbitration of a third power; and the other, with fifty-six female signatures, praying that Congress would propose the institution of a Congress of nations for the settlement of international disputes. I moved the reference of both these petitions to the Committee of Foreign Relations, and that both should be printed; which was ordered. It is fortunate for me that the Committee of Foreign Relations snatched at this class of petitions, because it leaves me free to press them for an argumentative and elaborate report.

4th. H. R. U. S. Great part of the day was consumed in calling for and receiving reports of committees. Among them was one by Howard, as Chairman of the Committee of Foreign Relations—a call upon the President for documents respecting the capture by the United States sloop-of-war Natchez of the Mexican armed brig General Urrea, and her restoration by this Government.

Cushing had given me a hint that Howard would move this call; it was by the rule to lie over one day. Howard asked for its immediate consideration, but at my request waived that demand, on a suggestion that I wished to offer an amendment to the call.

The House went into committee of the whole on the state of the Union to take up the President's message, myself in the chair. Cushing's proposed amendment to Haynes's third resolution being under consideration, Potter, of Pennsylvania, by his accent an Irishman or of Irish descent, made an elaborate Administration speech, attempting to repel the charges against the partiality of the Speaker's appointment of committees, and against the subserviency of the committees to the Executive. Potter is a rancorous, thorough-going party man, with considerable talent, and the controversial art of saying bitter things in sweet words. He spoke about an hour, and on the motion of Murray, of Kentucky, the committee rose; and the House adjourned before three.

I went into the Senate-chamber, where they were debating sundry nullification and slavery resolutions, introduced by Mr. Calhoun. I heard short speeches by Morris and Allen, of Ohio, Tipton, of Indiana, Preston and Calhoun, of South Carolina, Wall, of New Jersey, and Young, of Illinois. Buchanan, of Pennsylvania, moved the adjournment. The debate was as servile as Calhoun's resolutions.

I prepared this morning my amendment to the call moved yesterday by Howard from the Committee of Foreign Relations. The Intelligencer contained the intelligence of the capture and destruction of the steamboat Caroline at Schlosser, on our side of the Niagara River, by armed boats from the Canadian side, by troops under the command of Colonel McNab—the man with whom I went 30th August last to Rockaway.

H. R. U. S. Immediately after the reading of the journal, I moved to take up the call of yesterday upon the President, presented by Howard, with my proposed amendment. Objection was made. I asked a suspension of the rules; which was refused, by yeas and nays—seventy-nine to one hundred and twelve. While this was going on, a message came from the President calling for reinforcement to the Executive power, to suppress all interference by the citizens of the United States on the Niagara frontier in the troubles of the British Government in Canada. No notice whatever of the invasion of our territory from Canada, of the capture and destruction of the steamboat

Caroline, and the murder in the dead of night of our own citizens upon our own shores. The message was ordered to be printed, with a letter from the District Attorney in that quarter, and referred to the Committee of Foreign Relations. Fillmore, representing the Niagara district, asked leave to move a call upon the President for information of what had been done for the defence of our frontier against invasion; objection made. He asked a suspension of the rules; refused.

As the committees were called upon for reports, Howard's call upon the President for information respecting the capture and restoration of the Mexican brig of war General Urrea (came up). I then moved my amendment, which was a call for all the documents relating to the preservation of our neutrality in the civil wars and insurrections in Mexico on the one side, and in the British Provinces on our northern border on the other; and particularly a copy of the late President Jackson's letter to the Secretary of the Territory of Arkansas (Fulton), of 10th December, 1830; and Fillmore moved his resolution as an amendment to mine. Howard and Hamer opposed them both, feebly and maladroitly. Howard made a flourish of generosity about the Northeastern boundary, the right of which, he said, he had thoroughly examined, and it was unquestionably on our side; but it was a very old question, as old as the Peace of 1783, and it would be ungenerous to press the British Government upon it while they were in trouble with their Canadian Provinces.

This started Cilley and Smith, of Maine, who answered him sharply. Smith said that while the British were using the territory as their own under an engagement to maintain the statu quo, they were keeping in close prison a citizen of Maine for performing acts of official duty. He thought this was quite as offensive an act as that of a foreign Minister about to leave the country publishing a pamphlet in a foreign language, upon which the Secretary of State had so largely descanted.

Hamer said that we did not know the facts—that the aggression was probably from our own side, and that in such cases an invasion of our territory might be justifiable, and was what we had done ourselves.

This brought up Bronson, of New York, who read from the Jeffersonian, a newspaper published in his district, an extract from a Canadian paper of the other border, threatening to send into the States a British army to emancipate two millions of our slaves. I asked if this system of party discipline was to be pursued in the coming crisis, and if calls for information were to be resisted merely because they came from members not of the majority party.

Howard and Hamer were aground, high and dry. Patton at last came out with an expedient to turn Fillmore's amendment and mine into separate resolutions and call for separate answers to each of them; to this we assented, and the three resolutions passed without a division of the House.

At the last moment, Rhett, of South Carolina, made two motions at once: that when the House adjourned it should be till Monday; and to adjourn. It was perfectly ludicrous; it showed, however, the bottom of this Justice Shallow. It failed.

Mr. Corwin, of Ohio, gave me a letter from George Collings, a member of the Legislature of the State of Ohio, asking my opinion of the power of Congress to abolish slavery in the District of Columbia.

6th. I gave a sitting of an hour to the young sculptor Clevenger, who is taking my bust; but, from having risen so early, was slumbering almost all the time he was at work. In going to his room, I overtook and walked with Mr. Kemble, who spoke to me of the message of Governor Marcy to the Legislature of New York, which he promised to send me; and did so. The paper contained not only the general message, but a special message concerning the capture and destruction of the steamboat Caroline. I found also in the same paper a message or speech of Sir Francis Head, Governor of Upper Canada, to the Legislature of that Province, complaining much of the interference of the Americans in their troubles. Returning home, I met Mr. Reed, who thought the Southern members were much disconcerted by this Canadian ebullition. Its operation hitherto is unfavorable to their projects of Mexican war, but I fear it will finally enable them to increase the army.

8th. Mr. Pettrich, the sculptor, was here this morning, and

told me that he had a set of miniature casts in clay of the Elgin Marbles, which he wished to show me; and he brought them, accordingly, this evening. I had seen the originals in the British Museum in 1817. They are considered by Mr. Pettrich, as they were by Mr. West, who accompanied me in that visit to the Museum, as the most perfect specimens of that art extant, and are said to be the work of Phidias. I am not enough of a connoisseur to perceive their transcendent beauties. There is too much uniformity of face and form in the human figures, while their attitudes are varied almost to infinity. There is much more beauty, grace, and variety in the arabesques of Raphael, to my eye, than in these masterpieces of Grecian sculpture. But of all these arts, of painting, sculpture, music, poetry, and oratory, my judgment is imperfect, by relying too much upon their impression on my own mind, and not giving implicit assent to mere authority.

H. R. U. S. Four messages were received from the President: one, relating to the capture and destruction of the steamboat Caroline at Schlosser; and the three others, with documents, in answer to the calls of last Friday, moved by Howard, myself, and Fillmore. In the first message an appropriation was demanded; and there was a motion to refer it to the Committee of Ways and Means. The appropriation was finally referred to them; and the rest of the message, and the three others, to the Committee of Foreign Affairs.

There was a debate, in which Fillmore, Bronson, Rhett, Thompson, Menifee, and Wise took part—Rhett vehemently against the Canadians, Thompson for them. Menifee denounced bitterly the conduct of the Administration against Mexico, which Thompson defended and Wise gently censured.

Petitions, beginning from Maine. Among those presented by me was one from Horatio S. Seely, of Butternuts, Otsego County, New York, praying the House to rescind the resolution of 21st December. The Speaker decided, after much hesitation, that it did not come within the resolution—upon which a motion was immediately made to lay it upon the table; which was done. I then presented a petition from Jeremiah Day, President of Yale College, and twenty-five citizens of

New Haven, praying for the repeal of certain laws enacted before our Revolution within the District of Columbia, the effect of which is to separate parents from their children, and husbands from their wives. The Speaker, without much hesitation, decided that this must go on the table, under the resolution of 21st December, though I told him that the petitioners did not so understand it. I presented also abolition and anti-Texas petitions, which were all laid on the table, the former by the general order, and the latter by special motion. The call for petitions had only reached Virginia when the House adjourned.

Mr. Cilley, of Maine, came to my seat and had a conversation with me concerning our Northeastern boundary. He thought the bill for requiring the survey should be engrafted as an amendment to the bill which will be reported for the protection of the Niagara frontier; and he appeared not altogether satisfied that the Northeastern Boundary bill should be brought forward by George Evans, and he wished me to take charge of it. I told him that for two years past I had not been upon terms with Mr. Evans, and I could not with propriety consent to take anything undertaken by him in this House for a common cause out of his hands, particularly as I estimated highly his talents. Mr. Cushing spoke to me of a joint communication to the Legislature of Massachusetts, informing them of the treatment which the resolutions of the last Legislature, presented by him at the special session of Congress, have received in this House.

15th. H. R. U. S. Petitions, beginning with Virginia, going south and west, and then back from Wisconsin through to Maine. There were a great multitude of abolition and anti-Texas petitions from all the free States; all laid on the table. I presented nearly fifty myself.

Also the petition of Benoit Henri Klimkieuitz, a Polish exile, for a grant of land. Mr. Ungerer had brought it to me at the door of the hall. It was referred to the Committee on the Public Lands.

The petition of fifty-four citizens of Ohio, that Congress would carry into execution the tenth article of the Treaty of

Ghent. Haynes instantly moved to lay it on the table; but I asked that the article should be read by the Clerk; and it was read. Petition laid on the table.

A petition that Congress would repeal the law in the District of Columbia by which freemen are liable to be sold for jail fees. I moved its reference to the Committee on the District of Columbia, with instructions to report a bill to abolish imprisonment for debt in the District. The Speaker entertained this motion. Haynes moved to make it an enquiry into the expediency; but for once the House deserted him, and the petition was referred with the instruction.

16th. H. R. U. S. Mississippi election. Bronson offers a resolution that Prentiss and Word are not members of the House. Long debate whether they shall have seats at or within the bar. Claiborne's written statement; question upon its being printed. Statement by Prentiss, printed, laid on the tables of members yesterday. Words between Gholson and Wise. Dawson's privileged motion discussed, and laid on the table. C. F. Mercer's motion to require the two members not to pursue their quarrel any further. Motion to lay it on the table; rejected, by yeas and nays—seventy-eight to one hundred and twenty-three; further debate.

17th. H. R. U. S. It was resolved yesterday to take up the Mississippi election every day at one o'clock until it shall be decided. After the reading of the journal, Patton moved to lay on the table the resolution offered yesterday by C. F. Mercer, requiring of Gholson and Wise that they should pursue their quarrel no further; and it was laid on the table, by yeas and nays. At one o'clock the Mississippi election was taken up. Bell, of Tennessee, moved two resolutions, as amendment to Bronson's resolution declaring that Prentiss and Word are not members of the House of Representatives. Bell's first resolution is to rescind that passed at the special session, declaring Gholson and Claiborne elected members of the Twenty-Fifth Congress; the second declares Prentiss and Word duly elected, and entitled to their seats; and Prentiss addressed the House in a speech of two hours, full of spirit and of argument, seldom surpassed as a specimen of eloquence

in that House. He reviewed the former decision of the House, and proved that it was not irreversible as "res judicata." He commented with keen severity upon the report of the Committee of Elections; upon the suppression by Gholson and Claiborne of their credentials at the special session; upon their positive averments that the people of Mississippi had universally believed that the election of July was for the whole Congress; and upon the disregard to principle in the decision of the House. At three the House adjourned, leaving his speech unfinished.

18th. H. R. U. S. Reports of committees received occupied nearly the whole of the first hour—twelve minutes only were left for my call for Gorostiza's pamphlet and the name.

Mr. Cushing, who had the floor, informed the House that he had received from the British Minister, Mr. Fox, assurances that he had never communicated a copy of the pamphlet to Mr. Forsyth, nor ever made any remark to him concerning it. Mr. Cushing said also that Gorostiza's pamphlet had never been published. He postponed his further remarks.

From one till three—Mr. Prentiss resumed his argument in support of his election and that of Mr. Word. It was not inferior to that of yesterday. I attended less to it, for I thought the demonstration yesterday so complete that anything further was superfluous.

Mr. Fillmore showed me a resolution which he proposed to offer concerning McNab's violation of our territory.

19th. As I was coming through the rotunda homewards yesterday, Mr. Seaton and Mr. Markoe stopped me and informed me that I had been unanimously elected President of the American Historical Society, and that they had also passed a vote requesting me at any time during the approaching spring to deliver an address before the Society. They said there was a committee appointed to inform me of my election.

I said I had no other objection to accepting that office than the sense of my own unworthiness to fill it; but that it would be impossible for me to deliver an address, for want of time to prepare it.

This morning Mr. Ratcliff called, and I returned to him the copy of his petition for public encouragement to the under-

taking to open a ship canal over the Isthmus of Panama. He said he had only one copy of the petition, which he hoped to have presented by Mr. Southard to the Senate. I advised him to have a copy of it presented to the House by Mr. Curtis, the member from the city of New York, who, he said, was favorable to the plan, and I promised him any assistance that it would be in my power to give.

H. R. U. S. Fillmore offered his resolution of call concerning McNab's expedition to Schlosser. Objection was made. He moved the suspension of the rules, and I asked for the yeas and nays; but both were refused.

Prentiss finished his argument in support of his right to represent the people of the State of Mississippi. Mr. Word said that his colleague had so fully set forth the claim which he had in common with him, that he did not deem it necessary to occupy the time of the House with any observations of his own. Gholson made a short, feeble, but not indecorous speech, without the attempt to answer the argument of Prentiss, but holding to his intrenchment behind the decision of the House at the special session. Foster, of New York, began a full-dress speech, but soon after three the House adjourned, leaving him to finish to-morrow. I gave to Mr. Webster seventeen abolition and anti-Texas petitions, addressed to the Senate. Mr. Prentiss was introduced to me after the adjournment, and told me that he came from the Yankee breed. He is a native of Maine.

20th. I answered a letter from Samuel Webb and William H. Scott, of Philadelphia, inviting me to deliver an address to the Pennsylvania Hall Association upon the opening of the hall which they are erecting in that city for free discussion; to be opened about the first week in May. I declined.

H. R. U. S. The Committee of Foreign Relations reported a bill appropriating five millions of dollars of indemnity to the claimants on account of French spoliations prior to 1800. They offered also a resolution requesting the President to negotiate with the Government of Denmark for indemnity on account of the prizes sent into the port of Bergen by the squadron of Paul Jones in 1779, and delivered up at the demand of the English Consul.

Mr. Taliaferro moved, as an amendment, that the request to the President should be to carry into execution the resolution of the old Continental Congress on the subject.

This gave rise to a debate, which at one o'clock was arrested by the order of the day, the Mississippi election.

Mr. Foster continued his speech for two hours, without approaching to a conclusion, in support of the decision of the House at the special session. Foster is a fluent speaker, and is one of the very few Northern Administration men who dares occasionally to have an opinion of his own. He voted against the gag; and the labor that he has taken to justify this absurd violation of the right of election, by which the House have manufactured two members of Congress for the people of the State of Mississippi, I believe was dictated far more by the qualms of his own conscience than from an expectation that it was needed or would have any influence on the present decision of the House. The decision in October was a dogged party vote; and so it will be now. Foster agonizes to justify his vote to his own mind.

22d. H. R. U. S. It was petition day; but Horace Everett had last Monday presented the memorial of John Ross, and a delegation of Cherokee Indians, remonstrating against Schermerhorn's fraudulent treaty. He now moved that it should be referred to the Committee on Indian Affairs (of which he is a member), with instructions to report the facts. Haynes, of Georgia, moved to lay the whole subject on the table; a vote was taken by rising—no quorum. The yeas and nays were called—no quorum; called a second time, and ordered—eighty-six against to eighty-three for laying on the table. Haynes moved the indefinite postponement of the whole subject. The Speaker said the motion to commit takes precedence of the motion for indefinite postponement. Owens moved again to lay the whole subject on the table. Everett called for the yeas and nays, and they were ninety-three to ninety-four. Arphaxad Loomis voted against laying on the table. Haynes, seeing how the vote had turned, said, "Well, if we must have a Cherokee war, let it come; as well now as at any time." Loomis was frightened out of his life at the result of his own vote, and

said he had voted under the impression that there was to be no debate. If there was to be, *he should regret his vote.* Everett apologized, and disclaimed, and protested that he was exceedingly unwilling to debate the question if the House would but refer it to the committee; but the Georgians showed no symptoms of yielding. Everett proceeded about five minutes, when the Speaker said it was one o'clock, and announced the order of the day.

The Mississippi election. Noyes, of Maine, moved to suspend the rules to call the States for petitions; but the motion was rejected. Foster resumed his speech, and prosed two hours and a half about everything but the question, "about it, goddess, and about it," without coming to a conclusion, and at half-past three the House adjourned. Foster is a young lawyer, never at a loss for words, and not wanting in intelligence; an argufier with a little conscience, and just logic and rhetoric enough to drown her in floods of sophistical reasoning.

Joseph L. Williams came to my seat and told me that he had voted for the resolution of the 21st of December with great reluctance and against his better judgment. He enquired as to my intention to move to rescind that resolution. I said I should wait till petitions should come in for the rescinding, as I expected them in great numbers. But they will be of no use. We had much conversation upon this subject.

23d. H. R. U. S. There was an entry on the journal that Hopkins, of Virginia, had moved the reconsideration of the vote yesterday against laying the Cherokee memorial on the table, and a decision of the Speaker from which Mercer had appealed. Hopkins this morning said he did not yesterday move the reconsideration, and the journal was accordingly corrected, and Mercer's appeal was withdrawn. But Hopkins now moved the reconsideration, to be taken up hereafter.

Cambreleng moved a suspension of the rules to go into committee of the whole on the state of the Union to take up two bills: one, of partial appropriation of one million of dollars for the suppression of Indian hostilities; the other, of six hundred and twenty-five thousand dollars for the defence of the Northern frontier. The House accordingly went into committee,

Connor, of North Carolina, in the chair, and the day was consumed in acrimonious and inflammatory debate on the Indian Appropriation bill. There was a letter from the Secretary of War urging for an instant appropriation for the Florida campaign, which Wise opposed, on the ground that he would consent to no further appropriation till the House should institute an enquiry into the causes and conduct of the war in Florida. Downing, the delegate from the Territory, then came out with a violent attack upon Wise; upon all the opposition to the Administration, whom he charged with being the cause of the expense and protraction of the war; upon the Cherokee delegation sent by the Secretary of War to mediate with the Seminole Indians; and upon the abolitionists, who petition for the abolition of slavery in the Territories. This engaged an altercation between Downing and Wise, which was followed by speeches from Cilley, of Maine, Waddy Thompson, Haynes, of Georgia, Bell, of Tennessee, and Everett and Robertson, all embroiling the whole subject more and more. Wise found himself charged with being an abolitionist, and cowered under the charge more than I have ever seen him before. Thompson imputed his siding with the Indians to *morbid sensibility*. Bell deserted him, and said he should have reserved his opposition for the time when the remainder of the appropriation should be moved for. He finally moved to reduce the appropriation from one million to five hundred thousand dollars. There were calls to rise and report the bill, but at half-past four Biddle took the floor. A motion was made for the committee to rise, and carried—eighty-one to seventy-three; and the House adjourned.

T. T. Whittlesey, one of the members from Connecticut who voted against the resolution of 21st December, sought a conversation with me upon the subject, and asked my opinion of the abolition of slavery in the District of Columbia. I told him I had always been against it, and that I thought the South had been ill advised in putting the issue upon the right of petition. I said I should move to rescind that resolution. He said he must adhere to the vote he had given for this session, because it would otherwise appear as if he had yielded to a

threat, but at the next session he would vote for referring the petitions.

24th. H. R. U. S. The House went immediately into committee of the whole on the state of the Union upon the two Appropriation bills. Waddy Thompson made an explanation, taking back a part of his charges against the North of hating the white people of the South. He now qualified the assertion by confining it to the abolitionists, and then to the violent abolitionists. But his real sentiment was what he said yesterday.

Biddle had the floor, and was beginning to notice the discussion of yesterday, upon abolition, in a tone which instantly raised a call to order. The Chairman, Connor, said that every allusion made yesterday to the subject of abolition was out of order, and that whenever it had been alluded to he had intended to call the speaker to order, but that just as he was about to remind them of the rules of the House, each of the speakers had passed to another subject.

Waddy Thompson said that as he, after the subject had been introduced by the member from Maine (Cilley), had been the person who made the remarks which Mr. Biddle appeared disposed to answer, he hoped he would be allowed to proceed.

Mr. Biddle was accordingly proceeding, when Patton called him to order, and insisted that the rules of the House should be observed. Biddle submitted, and passed to other parts of Downing's speech. He exposed with bold indignation the private letter from Jessup to Blair, the editor of the Globe, upon which President Jackson recalled General Scott from the command in Florida and appointed Jessup to take his place; the base acquiescence of the Secretary of War (Cass) to this injustice of Jackson; the censure by the Court-martial which tried Scott upon this letter; the adulation of Jackson by the Court in their notice of this transaction; the overbearing spirit of Jackson in sending back that part of their report to be expunged, and their tame submission to his order in expunging it. He concluded it with some forcible remarks upon the pernicious effects of favoritism and intrigue upon the moral character of the army and upon young officers. With the

exception of rather overcharged panegyric upon Scott, which gave the speech a partisan coloring, it was admirable.

He was followed by Underwood, Glascock, Bynum, and Pope, who brought the committee back to the only question properly before them—the necessity of the appropriation, which was self-evident. Wise's motion to reduce it, without a count was rejected. Wise himself was absent. The other bill of appropriation, for the Northern frontier, was then taken up, and both bills were reported to the House. Bynum had insisted on calling the yeas and nays on the Florida bill. They were one hundred and sixty-four to two; but there were about forty members who did not vote.

25th. I attended, before eleven o'clock, at the chamber of the Committee of Manufactures; but Mr. Foster and Mr. Slade were the only other members who attended. There was no quorum, and nothing was done. It will be impossible to form a quorum unless I give notice to every member the day before every weekly return of the meeting-day. Naylor was yesterday called home to Philadelphia by the illness of his wife; Hunter, of Virginia, taking no interest in manufactures, purposely abstains from attending; and there is no other member of the committee who cares for anything under their consideration.

H. R. U. S. The hour, till one, was consumed in receiving reports from committees, without getting through the list. Then came the Mississippi election, and Foster, in an hour and a half of the third day, finished his speech—fluent, verbose, pointless, tiresome beyond measure. He was followed by Pennybacker, another member of the committee—not quite so fluent, but promising to be equally tedious and not less dull—behind whom, when he rose, was the alarming prospect of a third dissertation breeder, in the person of Bronson. After Pennybacker had been droning along about half an hour, with about sixty members of the House in the hall, not five of whom were listening to what he said, Rives, of Virginia, his colleague, in mere compassion, moved an adjournment. He suspended his motion at the request of Smith, of Maine, to take up, read, and refer to committees five bills from the Senate, one of which was for the increase of the army.

27th. H. R. U. S. Mr. Rariden's resolution, to furnish the new members of the House with the books which have been furnished to the veterans, to be paid for from the contingent expenses of the House, was the unfinished business of the morning hour. The usual debate between the economists and the liberals, commenced yesterday, was now continued, till the expiration of the hour. Briggs moved an amendment, which Rariden accepted, that the books should be furnished to such members as should apply to the Clerk for them in writing. Sherrod Williams moved an amendment, that the members of this and the two preceding Congresses who have received the books should return them to the Clerk for the use of their successors. Rariden said there was nothing in this inconsistent with his resolution, and that he was willing to vote for it as a separate resolution, with the same modification that he had accepted to his own—that is, that every member so disposed should return his books to the Clerk and take his receipt, as a voucher for his own justification and credit with his constituents. Hopkins at last smothered further debate by calling for the previous question; which was carried. Bond, of Ohio, asked for the yeas and nays on the previous question, but they were refused. They were taken, however, on the main question, and the resolution was carried—one hundred and thirteen to seventy—with about thirty dodgers.

The order of the day—the Mississippi election—ensued. Maury, of Tennessee, a member of the minority of the committee, who had taken the floor, now said that he believed the majority of the House had their minds made up, and were weary of the discussion; that most of his friends thought it would be most expedient to decide the question as soon as possible. He would, therefore, waive his right to the floor, and not trouble the House with any remarks on the subject; whereupon Bronson, a majority member of the committee, rose to offer a few brief observations, and kept the House till three o'clock, treading over again the same track which his brazen, brainless brothers, Foster and Pennybacker, had trodden—of surplusage, and suppressed credentials, and adjudication by the House, &c. At three o'clock the fragment of a quorum left in

the House became so weary that they adjourned without hearing the close of Mr. Bronson's few remarks.

28th. I received this day thirty-one petitions, and consumed the whole evening in assorting, filing, endorsing, and entering them on my list, without completing the work. With these petitions I receive many letters, which I have not time to answer. Most of them are so flattering, and expressed in terms of such deep sensibility, that I am in imminent danger of being led by them into presumption and puffed up with vanity. The abolition newspapers—the Liberator, Emancipator, Philanthropist, National Enquirer, and New York Evangelist, all of which are regularly sent to me—contribute to generate and nourish this delusion, which the treacherous, furious, filthy, and threatening letters from the South on the same subject cannot sufficiently counteract. My duty to defend the free principles and institutions is clear; but the measures by which they are to be defended are involved in thick darkness. The path of right is narrow, and I have need of a perpetual control over passion.

29th. Much of this morning was consumed in assorting and filing my anti-slavery petitions, of which I have now one hundred and twenty on hand.

Mr. Ratcliff called, and said he had now, by the advice of his friends, concluded to ask me to present the petition for the adoption of legislative measures to promote the making the ship canal across the Isthmus of Panama. He had proposed, and I had urged him, to get Edward Curtis to present it; but Mr. Tallmadge had recommended that it should be presented by me, and that its presentation to the Senate should be postponed for the present.

H. R. U. S. It was petition day, and, as the last Monday was passed over, I expected to have been delivered of my budget; but the Speaker took up the motion of reconsideration of the commitment of the memorial of John Ross and the Cherokee delegation, moved by Hopkins, of Virginia. The commitment had been carried by a vote of ninety-four to thirty-three. Everett expressed a wish to address the House; but the Speaker said that the motion to lay on the table being

not debatable, a motion to reconsider a vote refusing to lay a subject on the table must, by necessary consequence, be not debatable also. Everett took an appeal from this decision, but afterwards withdrew it, requesting that the decision might be entered on the journal. The resolution to reconsider the commitment of the Cherokee memorial was reconsidered, by yeas and nays—one hundred and twenty-two to eighty; and the memorial was laid on the table by one hundred and twenty-three to eighty-four.

The Speaker then referred to certain resolutions of the Legislature of Maine upon the Northeastern boundary, concerning which Evans had given notice of his intention to ask leave to bring in a bill; but Evans moved to postpone the consideration of the subject till Thursday. There was a message from the President, with documents, relating to the Boundary question; which Evans moved should lie on the table, and be printed, to be taken up also on Thursday. By this time it was within a few minutes of one o'clock. The Speaker called for petitions from Maine, but, without passing to the next State, announced the order of the day—the Mississippi election. Bronson finished his everlasting speech. Jenifer, of Maryland, and Robertson, of Virginia, then made short speeches in favor of the election of Prentiss and Word. Legaré took the floor on the other side; but it was four o'clock, and the House adjourned in despite of the Whigs, who wanted to take the question this day. They deluded themselves with the expectation that the House will reverse its former decision, and are fearful of losing strength by delay. I met behind the bar Mr. McKeon, a member of the last Congress from New York, the French Minister, Pontois, with Saligny, and the Viscomte de Montmaur. McKeon told me that he was in favor of the Canadian rebels.

30th. Mr. McCaleb, a young lawyer from New Orleans, came to enquire if there were any documents to which he could recur to show upon what grounds this Government had maintained that West Florida was included in the cession of Louisiana, and particularly whether it had been discussed at the negotiation of the Florida Treaty in 1819.

I told him it had not; that the pretension had first been started by Mr. Monroe and Mr. Livingston, after the conclusion of their Florida Treaty, but Spain had indignantly remonstrated against it, France had pronounced decidedly against it, and it had been given up by Mr. Jefferson. Afterwards, when Bonaparte conquered Spain, there were commotions and insurrections in Florida, and political confusions, till the negotiation of the treaty by which both the Floridas were ceded; and, as that was to give us possession of the whole, nothing was said between Mr. Onis and me of preceding disputes about the parts.

Mr. McCaleb said he wanted the information for the management of some land-claims under grants from the Spanish Government, now pending before the Supreme Court of the United States.

H. R. U. S. The Speaker consumed the whole morning hour, within ten minutes, in calling for reports from committees. McKay, Chairman of the Military Committee, reported a bill to increase the army. The Speaker then announced my call on the President for the copy and translation of Gorostiza's pamphlet, with the name of the foreign functionary who communicated a copy of it to the Secretary of State. The pending question was upon Howard's motion to strike out the call for the name.

Howard said that when the subject was last before the House, Mr. Cushing had the floor, intending to address the House; he moved, therefore, that the subject should be postponed till to-morrow. To this I objected, and said I had understood Mr. Cushing had no particular desire to say anything further on this question, and I was very anxious to have a decision of the House on the call, it being necessary for the House to know what the pamphlet was, before they could judge of the propriety of the heavy charges against it in the report of the Secretary of State. I believed that the Secretary had totally misapprehended the character of Mr. Gorostiza's offence, which at the most appeared to be nothing more than an indiscretion. He had represented it as an unexampled outrage, and held it up as the pre-eminent provocation authorizing the breaking up of all friendly negotiation with Mexico. That it was far from

being unexampled, I referred to the case of the French Revolutionary Minister, Genest, who appealed from the Administration of President Washington to the people.

Here the Speaker interrupted me, and announced the order of the day—the Mississippi election. Legaré, of South Carolina, now made his justificatory speech. He had flashed and foamed upon it at the special session by an argument in gaudy colors but totally destitute of judgment. The case on constitutional and legal grounds is clear as day. Legaré darkens counsel with words. The whole of his speech to-day was a labor up-hill of an argument which was continually recoiling upon him. As soon as Legaré finished, Cushman started up to move the previous question. But Evans, of Maine, was also on the floor, and the Speaker, who does not see Cushman as quickly as he did in the last Congress, gave the floor to Evans, who answered Foster, Bronson, Pennybacker, and Legaré. To answer one of them was to answer all. Evans's talents, fine talents, have gone into eclipse with his character. When he closed, Cushman made his motion for the previous question. Prentiss, however, claimed his privilege of reply to the speeches made against his election; and Cushman withdrew his motion. Mason, of Virginia, then asked to address the House, and announced that he had changed his opinion since the special session. He then voted for the resolution declaring Claiborne and Gholson elected for the Twenty-Fifth Congress. He now has State-right scruples of conscience against nullifying a State law by a resolution of the House, and therefore will vote for rescinding the resolution in favor of Claiborne and Gholson, and then will vote that Prentiss and Word are also not duly elected. Mason's intellect has only half administered to his conscience. He votes to rescind his own former vote because it clashed with the law of the State of Mississippi, and he now sets aside the same law of the State of Mississippi, to deprive her two members of their seats, and the people of Mississippi of their representation upon this floor, for at least four months. Here was a new bone to pick for deliberation, and McKay, of North Carolina, a perpetual halter between two opinions, sustained Mason. The House adjourned shortly before five o'clock.

31st. My call for Gorostiza's pamphlet came up again. I referred to the cases of Yrujo, both with Mr. Pickering and Mr. Madison, in 1798 and 1806; to the case of Francis James Jackson with Robert Smith, in 1809; and to the intercepted letter from Luis de Onis to the Governor-General of Caraccas, confidentially communicated to Congress by President Madison in 1811. I read some of the papers from a volume of the National Intelligencer for 1806. Again arrested by the expiration of the hour and the Mississippi election. Call of the House. Cushman moves the previous question, and fails—one hundred and seven to one hundred and eleven. Question to rescind the resolution of 3d October, declaring Claiborne and Gholson elected members of the Twenty-Fifth Congress, carried—one hundred and nineteen to one hundred and twelve. Haynes hops up from his place and makes a silly speech. Howard angles and tangles. Wild and ludicrous commotion in the House. The House adjourned about five o'clock, and I came home quite sick.

February 1st. H. R. U. S. Rhett, of South Carolina, said his name was not recorded on the yeas and nays of the rescinding vote of yesterday; that he had voted in the negative. His name was accordingly recorded. There were few reports of committees. My call for Gorostiza's pamphlet came up again. I resumed my argument of yesterday; caused to be read by the Clerk the letter from Mr. Madison to the Marquis de Casa Yrujo, of 15th January, 1806, and Yrujo's two answers, of 16th and 19th of January; the note added to his letter of January, 1805, reviewing and abusively commenting on President Jefferson's message to Congress, and also Onis's intercepted letter of 2d February, 1810; and the resolution of both Houses of Congress on the rupture of the negotiation with Jackson, of 12th January, 1810.

This brought up again the hour of one, and the Mississippi election. The Speaker reconsidered and reversed a decision which he had hastily made yesterday to favor a trick of Howard's, coupling an amendment declaring Prentiss and Word not entitled to seats in the House with the amendment yesterday carried, which declared Claiborne and Gholson not

members. Howard, being sure of carrying his amendment, wanted to tack it to the other, so as to force upon the majority of yesterday the compulsive vote against their own proposition, or to vote against a resolution declaring Prentiss and Word duly elected. This knavish expedient is just worthy of Howard; and the Speaker yesterday supported him in it. This morning, however, he recanted, and said the question on the two amendments would, by the forty-first rule of the House, be divisible. Howard modified the amendment he had offered yesterday to read, that Prentiss and Word are not members of the Twenty-Fifth Congress; and said, if that was adopted, he should move a resolution to communicate a copy of the two resolutions to the Governor of the State of Mississippi.

Mr. Pope offered a similar resolution, declaring the seat of Yell, of Arkansas, vacant; but the Speaker rejected it, as not in order. Howard's amendment was debated by Underwood, Cilley, Robertson, Tillinghast, Mason, Menifee, and White, of Indiana, to whom Prentiss finally replied. Between five and six o'clock the House adjourned.

2d. In the House this day I finished my remarks upon Mr. Howard's motion to strike out the part of my resolution calling for the name of a foreign Minister. I was compelled to abridge them, laboring as I am under a severe cold, hoarseness, and sore throat. Howard began a reply, but was interrupted by the expiration of the morning hour.

Prentiss this day replied to the arguments against him. Yell, of Arkansas, whose case was precisely the same in principle as that of Claiborne and Gholson, attempted to explain the reason why in his own case he acted one way and in theirs votes the other way. The real one is, that he is a shallow, foolish fellow, without principle enough to stand on the point of a needle—fitter for the brawler of a bar-room than for a representative of the people in Congress. He said he considered himself elected in July for the whole Congress, though he ran as a candidate at the subsequent election, and produced his credentials and was sworn again at the commencement of the present session.

Patton made a speech of about an hour, sound in principle, as he has been right on this subject throughout the whole

contest; but his speech made no impression upon the House. Legaré made a laborious and painful effort to sustain the ground he had taken at the special session, which he carried triumphantly then, but which has now crumbled under him. He said now that the decision of the special session declaring Claiborne and Gholson elected as members of the Twenty-Fifth Congress was binding upon every man, woman, and child of the United States until the day before yesterday. At this monstrous doctrine I could hardly keep my seat in silence; but settled Legaré in my own mind as a flashy declaimer without substance. There was an abortive attempt to adjourn, which Cushman defeated by calling for the yeas and nays. Then Menifee made a very animated and somewhat severe speech, appealing to correct principles, which mere common sense in this case could not mistake. It was now past five o'clock, and Bell said he was desirous of offering some remarks to the House, and hoped they would adjourn, and come determined to sit it out and take the question to-morrow; and the House did accordingly adjourn.

3d. Mr. Tyler had sent me, to examine, two pictures, which he fancied were portraits of Ferdinand and Isabella, by an Italian master, but which I suppose to be sign-posts of Charles the Fourth and his Queen.

H. R. U. S. Acts from the Senate for submitting to judicial decision the Bastrop and Maison Rouge land-claims; for granting pre-emption to settlers on the public lands; and for appointment of Commissioners to adjust claims for reservation of lands under the fourteenth article of the Treaty of 1830, with the Choctaw Indians. The plunder of the public lands is in the full tide of successful experiment. On motion of Mr. Taliaferro, the business of the morning hour was set aside (my call for Gorostiza's pamphlet) to take up immediately the Mississippi election. Bell, of Tennessee, and Pope, made long and sound speeches in support of the election of Prentiss and Word; and R. Barnwell Rhett a ranting declamation against it. Martin, of Alabama, took the floor at five o'clock, and moved an adjournment; which was carried, by yeas and nays—one hundred and eight to ninety.

5th. H. R. U. S. The presentation of petitions was confined to the morning hour, and entirely to the members from Massachusetts. Among them were many praying that the resolution of 21st December, 1837, be rescinded. Governor Lincoln moved that they should all be referred to a select committee, with instructions to report a resolution rescinding that of the 21st of December.

This is the resolution that I had given notice of my intention to offer, and I was glad that Governor Lincoln took the task out of my hands.

Wise enquired whether these petitions to rescind the resolution did not come under the rule of the resolution itself.

Polk, the Speaker, said that upon mature deliberation he had concluded they did not.

Wise said, then the resolution was of no use whatever.

Patton moved the question whether the House would consider the resolution, and Boon moved to lay that motion on the table. The yeas and nays were then called, and the whole subject was laid on the table by a vote of one hundred and twenty-eight to seventy-five.

This occupied so much time that, when my turn came to present petitions, I could get only one received—that of Lydia Turner, for a widow's pension. I asked a suspension of the rules to permit me to go through, and for the yeas and nays; but Hoffman asked that the suspension should be general, for all the members to present their petitions.

To this I assented; but the House refused to suspend the rules or to grant the yeas and nays.

At one o'clock the Mississippi election was resumed. Martin, of Alabama, though not a violent man, made a very violent speech against the right of Prentiss and Word to their seats.

Glascock presented to the House a letter from Claiborne, enclosing proceedings of a majority of the members of the Legislature of Mississippi, resolving that he and Gholson were, and are, the choice of a large majority of the people of Mississippi; that they ought not to resign; that the people are satisfied with the decision of the House at the special session; and that the conduct of Messrs. Claiborne and Gholson relating to

the Sub-Treasury and Bank questions, and the stand they had taken against the discussion of slavery, was highly approved. Claiborne's letter was a half-bullying remonstrance against the vote to rescind the resolution of 3d October, declaring him and Gholson members of the House for the Twenty-Fifth Congress, and a half-whining supplication to them to turn out Prentiss and Word. Claiborne's letter was read, and the resolutions of the Mississippi Legislative caucus, from the Globe, till the Clerk came to the resolution about the Sub-Treasury and Bank.

Sherrod Williams then asked what paper the Clerk was reading from. Glascock answered, the Globe. Williams asked that the editorial article introducing the proceedings of the caucus should be read; but, after some captious debate, this was refused by vote—ninety to eighty—and the reading was stopped before coming to the resolution about slavery.

Parker, of New York, made a speech for referring back the election to the people of Mississippi; and Clowney, of South Carolina, a short speech for the right of Prentiss and Word. There was a call of the House, and upon Howard's amendment, declaring Prentiss and Word not members of the House, the vote, by yeas and nays, was one hundred and seventeen to one hundred and seventeen—a tie. The Speaker decided the question against them. The question upon rescinding the resolution of 3d October, declaring Claiborne and Gholson members of the Twenty-Fifth Congress, had been carried—one hundred and twenty-one to one hundred and thirteen. Then the question upon Howard's amendment was taken again, and carried —one hundred and eighteen to one hundred and sixteen, Snyder, of Illinois, who has been for weeks confined by sickness, having come in at the dead lift, and Mercer, of Virginia, being accidentally without the bar of the House when his name was called. He asked leave to vote, but was refused. J. Sergeant, who came from Philadelphia last Friday, and S. C. Phillips, who came in last evening, were present, and voted.

A resolution then passed that the Speaker should inform the Governor of Mississippi of the decision of the House.

R. B. Rhett had leave to offer a resolution directing the

Clerk to pay Prentiss and Word their mileage and attendance; but Owens moved to adjourn about six o'clock, and the House adjourned.

This has been one of the most remarkable conflicts between honest principle and party knavery that I ever witnessed; and this result is a parti-colored composition between right and wrong—half honest and half knavish. The retribution upon Claiborne and Gholson is signal.

6th. H. R. U. S. Cambreleng, from the Ways and Means, reported a bill of appropriation to purchase the books for the new members of Congress. He said the reason for this was, that a rule of the House prohibited the introduction into the General Appropriation bill of any item of expenditure not authorized by law.

Bronson reported a bill to divide the Territory of Wisconsin and to establish the Territorial Government of Iowa.

Patton, from the Committee on the Library, moved to discharge the committee from the further consideration of Cushing's resolution for purchasing Stuart's portraits of the first five Presidents. They were discharged, and, at the motion of Cushing, (the resolution was) referred to a select committee.

Bell moved to amend the rules, by fixing a day once a month to call the States for resolutions. Debate. Once a fortnight and once a week were proposed. The resolution was finally adopted fixing once a fortnight—the alternate Mondays.

Rhett offered again his resolution directing the Clerk to pay Messrs. Prentiss and Word for travel and attendance to claim their seats. Objection made. He moved and carried the suspension of the rules, and the resolution was adopted, after not a little debate, in which I took a part.

Howard moved the appointment of a member of the Committee of Foreign Relations in the place of J. F. H. Claiborne, no longer a member of the House. Evans gave notice that he should to-morrow move for the consideration of his Northeastern Boundary bill. A message from the President respecting the extreme Western or South Sea boundary was, at Cushing's motion, referred to the Committee of Foreign Relations. Cushing said the British were encroaching upon us there.

The House went into committee of the whole on the Union upon the two Appropriation bills for the pensioners, and for the civil and diplomatic expenditures. The first passed through the committee and was reported to the House without opposition. Some small debate arose upon sundry items of the General Appropriation bill, and the committee rose without reporting it. Adjourned about four o'clock.

7th. The Speaker has appointed Mr. Bynum, of North Carolina, as a member of the Committee of Foreign Relations, to supply the place of Claiborne—a chip of the same block. Garland, of Virginia, had carried a call on the Secretary of the Treasury, on the 12th of October, at the special session, for a list of defaulters, and the correspondence concerning the same. The Secretary has sent a list of the defaulters, but not the correspondence, which he cannot give soon without more clerks. Garland now moved a resolution authorizing the Secretary of the Treasury to employ as many additional clerks as may be necessary to enable him to report the correspondence during the present session. Debated till the expiration of the hour.

Message from the President in answer to a call for the causes of the delay of the sailing of the exploring expedition. Laid on the table, after some debate; Wise threatening to call it up for investigation.

Evans, according to notice given, asked leave to introduce a bill to provide for surveying the Northeastern boundary line of the United States, according to the provisions of the Treaty of Peace of 1783. The Speaker said it was not in order. Evans said he asked for it by the general consent of the House; but objection was made. Evans then moved to refer the President's message on the Northeastern boundary to the Committee of Foreign Affairs, with instructions to report his bill, which was now read; and he supported the motion by a speech of two hours and of great power. Evans's character is under a dark cloud, but there are few, if any, abler or more eloquent men in the House. He would have been defeated this day in introducing his bill by the trickery of the Speaker if he had not been thoroughly versed in the tangle of rules of the House, always operating to obstruct, instead of facilitating, business.

The Speaker would not permit him to introduce his bill, but did allow him to move the reference to a committee, of the message, with instructions to report the bill. Substance hanging upon a hook of form.

Before the House adjourned, a bill from the Senate, to prevent the abatement of suits and actions in which the late Bank of the United States has been a party, was read twice, and, at the motion of Mr. Garland, of Virginia, referred to the Committee on the Judiciary. Adjourned about four o'clock.

8th. Day for the weekly meeting of the Committee of Manufactures. Present, Adams, Foster, Slade, Webster—no quorum; absent, Biddle, Hunter, Naylor, Tillinghast, Vail. Nothing done, of course.

In the House, Mr. Whittlesey, from the Committee of Claims, reported three bills. Robertson, from the Committee on the Judiciary, reported, with a small amendment, the bill from the Senate to prevent the abatement of suits and actions now pending to which the late Bank of the United States may be party; and he moved the third reading of the bill. I enquired if the committee had considered the question whether suits by or against the bank could be commenced after the 4th of March next.

He said they had, but had forborne to make any provision for it, to avoid endangering the passage of this bill, the necessity for which was immediate and urgent.

I moved that the bill be recommitted, to provide for continuing the capacity to sue and be sued after the 4th of March, and started a tolerably sharp debate, which ended in the recommitment of the bill. It appeared that only five members of the Judiciary Committee had been present at the meeting this morning when they agreed to report the bill, and that the others had not seen it. Neither the committee nor any of the anti-bank members of the House who debated my motion to recommit appeared to be aware that the bill to prevent the abatement of suits at the expiration of the charter is quoad hoc a re-creation of the corporation, or was capable of assigning a reason why or how the expired body could be amenable to judicial process upon suits commenced, and yet not capable

to sue or be sued for rights and liabilities existing before the expiration of the charter.

The Northeastern Boundary bill was now taken up, and the objection to Evans's introducing his bill was withdrawn. This only produced a change of forms. He brought in his bill, which was read twice, and referred to the Committee of Foreign Relations. He then concluded his speech in about two hours, and Fairfield took the floor; but it was past three o'clock, and the House adjourned. I continue to receive multitudes of petitions every day, the assortment and filing of which absorbs all my leisure time, and throws my correspondence and diary in arrears.

9th. This morning I called at the War Department, and found Mr. John Reed with Mr. Poinsett, the Secretary. I had a letter from Mr. , of Plymouth, with sundry papers, relating to a claim for damages sustained by a schooner chartered by the Government to send munitions of war to Tampa Bay. There was a question whether the claim was to be settled at the Treasury or at the War Department. Mr. Poinsett said it was there, and took the papers. The papers required to support the claim of Lydia Turner, he said, could not be delivered to an individual member, but might be called for by a committee.

He spoke about the exploring expedition, the management of which has been transferred from the Navy Department to him, Mr. Dickerson, the Secretary of the Navy, being in ill health. I told him that all I wanted to hear about the exploring expedition was, that it had sailed.

I found the House in session. The Speaker had read a letter from H. A. Muhlenberg announcing that he had resigned his seat as a member of the House; upon which Wise had pronounced a sarcastic complimentary valedictory. Muhlenberg is a Lutheran Pennsylvanian, of German extraction, an ex-clergyman, of the true-blue Jackson Van Buren party, and was with George Wolf a competitor against Joseph Ritner for the office of Governor of Pennsylvania. This appointment is a pure electioneering expedient to pacify the party schism in Pennsylvania and to tickle the catastrophe of the Pennsyl-

vanian Germans. As German is Muhlenberg's native tongue, he will find himself at home at Vienna.

Toucey moved to discharge the committee of the whole on the state of the Union from further consideration of the part of the President's message relating to the Bank of the United States and the re-issue of their bills, and to refer the same to the Committee on the Judiciary; agreed to without opposition.

There was some discussion upon a bill from the Senate to amend an Act for the appointment of Commissioners to adjust the claims to reservations of lands under the fourteenth article of the treaty with the Choctaw Indians in 1830; finally postponed for the morning hour of to-morrow. Fairfield and Evans attempted to get up the Northeastern Boundary bill, but failed. Private business was preferred, and the bill for the relief of the heirs of Robert Fulton was tenaciously debated till four o'clock; and, after numerous dilatory motions to reduce the appropriation from one hundred thousand to twenty-five thousand and to fifty thousand, was finally passed to the third reading, and passed, by yeas and nays—one hundred and twelve to sixty-nine. Adjourned, after a tough struggle, over to Monday.

10th. Mr. Ratcliff was here, very anxious about his memorial for opening a ship canal across the Isthmus of Panama. He is desirous of having it referred to a select committee, of which I should be Chairman; and proposed recommending to the Speaker the names of several members to serve on the committee. I mentioned several to him, but told him I thought it probable Howard would move its reference to the Committee of Foreign Affairs, and, if he did, it would be referred to that committee.

Mr. Seth Sweetser, Consul of the United States at Guayaquil, in the republic of Equador, brought me a letter from Mr. Rocafuerte, now President of that republic, and who was here as a Mexican fifteen or sixteen years since, when I was Secretary of State. Equador is one of the three republics into which that of Colombia has resolved itself. Mr. Sweetser, who is here upon a leave of absence, promised me a copy of the Constitution of that country.

11th. I attended church this morning, at the Presbyterian, and heard Mr. Fowler preach from Hosea iv. 17: "Ephraim is joined to idols: let him alone." Mr. Fowler is a young, warm-hearted, sincerely pious Calvinist, feeling intensely for the salvation of the sheep of his flock, and possessing more of the will than of the powers of pathetic eloquence. He labored exceedingly to alarm his hearers in his commentary upon this text; but from the moment that he read it a reminiscence occurred to me, that in the year 1808, at a time when I had committed the unpardonable sin against the federal party by sustaining the Administration of Jefferson in his quarrel with England, and the federal wrath was boiling over against me, this very text from Hosea was given at a federal party public dinner on the 4th of July, somewhere in the county of Worcester, as a toast, annexed to my name. This recollection gave an irresistibly ludicrous turn to all Mr. Fowler's exertions to give a terrific exposition to the text.

12th. H. R. U. S. Petition day, and I had my budget of three hundred and fifty ready; but, immediately after the reading of the journal, Wise read an article in the New York Courier and Enquirer, being part of a letter from "The Spy in Washington," charging corruption upon at least one member of Congress, and calling upon Congress to institute an investigation of the charge, with a pledge of testimony to support it. Wise moved for the appointment of a committee, with power to send for persons and papers; and, lo! a fiery debate of five hours, till the House adjourned without taking any question. Amendments were proposed by Dromgoole, Arphaxad Loomis, and Rives, till the resolution assumed the shape of a summons to Matthew L. Davis (assumed to be "The Spy in Washington") to appear at the bar of the House, and to support the charge, if the person charged be a member of the House. The aspect of it, and the persons ostensible in it, Matthew L. Davis, and Webb, of the New York Courier and Enquirer, indicate a design, stimulated by party tactics, to blow up some individual member of the Administration party, and thereby to cast obloquy upon the whole party. So it was felt by the party in the House; and Dr. Duncan, of Ohio, and

Bynum, of North Carolina, vented their unutterable indignation upon Matthew L. Davis. All, however, professed their willingness, and even their earnest desire, for an investigation. Cushman tried his universal soporific of the previous question, but failed of obtaining a second—eighty-three to eighty-five. Thomas moved to adjourn, but failed—seventy-three to ninety-one. Fry moved to lay the whole subject on the table, but carried only fourteen votes for that. Boon, of Indiana, snarled and slunk away; and at six o'clock the House adjourned without taking a question. The only other transaction was a motion of Waddy Thompson to reconsider the vote of the House which passed on Saturday the bill for the relief of the heirs of Robert Fulton.

13th. A projector from Baltimore, named Pennington, was here with an invention for navigating though the air, and an engraved plate representing his machine, which is in the form of a boat. He wants an appropriation by Congress to try his experiment upon a large scale; and, as I did not encourage him to expect my assistance to obtain his appropriation, he talked flippantly enough about the propensity of the world in general to discountenance all great inventions and discoveries. I preserved my good humor, and did not discompose his, nor yet trust my faith to take passage in his airy boat.

H. R. U. S. The day was again absorbed by the debate upon the alleged corruption of a member of Congress. Wise read a paragraph from a Newark newspaper, stating that the editor knew all about this disgraceful transaction; that the witness was a citizen of that place, and the member of Congress a Senator now in his place. Smith, of Maine, made a speech, from which it appeared that the person implicated was one of the Senators from that State; and, after suitable hints from the Speaker and from Thomas, of Maryland, moved to lay the whole subject on the table; but this was rejected, by yeas and nays—forty-six to one hundred and thirty-seven. Haynes called for the previous question, which was carried, and Wise's resolution to call Matthew L. Davis to the bar was adopted—one hundred and forty to forty-six.

Howard moved certain interrogatories to be put to the wit-

ness, which raised a debate, during which, at my motion, the witness was directed to withdraw. The debate was on the first interrogatory proposed by Mr. Howard, Whether Davis was the *author* of the letter signed "The Spy in Washington." This was not in issue, and I, with many others, objected against it. I said he would certainly not answer it, and the House could have no right to compel him. They carried, nevertheless, the question—eighty-three to seventy-eight—but left it optional with the witness whether to answer it or not, without letting him know that he had this option. Davis was sworn by the Speaker, not to answer interrogatories, but to tell the truth, the whole truth, and nothing but the truth, touching the matter before the House; and when the question was put to him whether he was the author of the letter signed "The Spy in Washington," he asked leave briefly to address the House, to show that this question ought not to be put to him.

Then a sharp debate of an hour whether he should be permitted to address the House, closed by the previous question, moved by Howard, and carried, by yeas and nays—one hundred and three to ninety—that he should. He presented a protest against the right of the House to ask the question, and therefore declined to answer it; and sent his protest to the Speaker, with a request that it should be entered on the journal of the House. The Speaker received the protest, and no objection was made to its being entered on the journal.

The second question was, whether he knew the name of the member of Congress alluded to in the letter of the Spy. He said he did. The third question was, whether it was a member of that House. He said it was not, and was immediately discharged. The House then (a quarter-past four) adjourned.

14th. H. R. U. S. After the reading of the journal, Wise moved an amendment of the journal, by stating that the witness yesterday was sworn to tell the truth, the whole truth, and nothing but the truth. This gave rise to a debate of half an hour, after which Wise's motion was laid on the table. Then a motion was made by Boon to strike out from the journal M. L. Davis's protest against the right of the House to require

from him an answer to the interrogatory whether he was the author of the letter signed "The Spy in Washington." Boon was sorely aggrieved at this entry on the journal, and the Speaker made him humble apologies for having suffered it to be made. But, after half an hour's debate, Boon's motion was laid on the table, by yeas and nays—one hundred and four to seventy-nine.

Henry, of Pennsylvania, then moved, and carried, a suspension of the rules, that the States might be called for the presentation of petitions. The call commenced with me, and I presented three hundred and fifty petitions; of which one hundred and fifty-eight were for the rescinding of the Patton gag, or resolution of 21st December; sixty-five for the abolition of slavery and the slave-trade in the District of Columbia; four in the Territories; seventeen for the prohibition of the internal slave-trade; two against the admission of any new State whose Constitution tolerates slavery; and fifty-four against the annexation of Texas to the Union. Besides these, there were several petitions for various objects of anomalous character, which could be included in neither of these classes. One or two were claims for pensions; one of a deaf-mute, editor of a newspaper, praying for the privilege of sending his paper by mail free of postage, and a petition of his neighbors that the prayer of his petition might be granted.

Mr. Ratcliff's memorial from Aaron Clark, Mayor of the city of New York, and sundry others, praying for the aid of Congress to obtain the making of a ship canal across the Isthmus of Panama. I moved its reference to a select committee; but a motion was made, and carried, to refer it to the Committee on Roads and Canals.

A petition from a man named Judson, that Congress would appropriate money to build a wall like the wall of China between the free and the slave-holding States. I asked the Speaker if that came under the resolution of 21st December. He said it did not. I then moved its reference to a select committee; but a motion was immediately made, and carried, to lay it on the table.

The petition for an appropriation for the relief of Mrs. Love-

joy shared the same fate. Several of the strange petitions from Sherlock S. Gregory were treated in like manner. But there was one, praying that Congress would take measures to protect citizens of the North going to the South from danger to their lives. When the motion to lay that on the table was made, I said that "in another part of the Capitol it had been threatened that if a Northern abolitionist should go to North Carolina and utter a principle of the Declaration of Independence——" Here a loud cry of "Order! order!" burst forth, in which the Speaker yelled among the loudest. I waited till it subsided, and then resumed, "that if they could catch him they would hang him." I said this so as to be distinctly heard throughout the hall; the renewed deafening shout of "Order! order!" notwithstanding. The Speaker then said, "The gentleman from Massachusetts will take his seat;" which I did, and immediately rose again, and presented another petition. He did not dare to tell me that I could not proceed without permission of the House; and I proceeded. The threat to hang Northern abolitionists was uttered by Preston, of the Senate, within the last fortnight.

March 1st. H. R. U. S. The Cilley committee[1] are Toucey, Potter, Briggs, Elmore, Bruyn, Harrison, and Rariden. Briggs asked to be, and was, excused, being already on two committees, and Harrison, because he had too much other business to attend to. Bouldin, Chairman of the Committee on the District of Columbia, made a report on that part of the President's message referred to the committee; perfectly characteristic of himself. It was read at my demand, and a debate arose, which ended in a recommitment of the report, at the motion of Jenifer, of the committee. Bouldin is going home. Howard, from the Committee of Foreign Affairs, reported a new Neutrality bill, which I think passable; to be discussed to-morrow. Thomas, Chairman of the Judiciary Committee, called up the bill con-

[1] The duel between two members of the House, William J. Graves, of Kentucky, and Jonathan Cilley, of Maine, in which the latter was killed, added much to the already great excitement between the parties, as well as to the sectional spirit then springing out of the slave question. On the last day of February, Mr. Fairfield brought the subject before the House, in the form of a resolution to the effect that a committee of seven members should be appointed to investigate the circumstances attending this unfortunate affair.

cerning the late Bank of the United States, which had been recommitted, and reported with large amendments; but now he moved the previous question, cutting off all the amendments reported by himself and his committee, to take without debate the question upon the bill from the Senate to prevent the abatement of suits. I objected; but the previous question was carried, and the bill was passed to a third reading, and passed. The Pension Appropriation bill was then taken up, and debated. Curtis made some curious disclosures, and the House adjourned about four. Walk home.

2d. Called this morning upon Mr. James S. Buckingham, with whom I saw Mrs. Buckingham, and their son, a boy ten or eleven years old. Conversation with him.

H. R. U. S. Briggs persuaded me to ask leave to introduce a resolution to grant the use of the hall (to him) next Tuesday evening, to deliver an introductory lecture upon Egypt. Objection made. I asked for a suspension of the rules: yeas and nays—ninety-three to sixty-two; lost for want of two-thirds.

Grennell and Grantland were announced as members of the Cilley committee in the place of Briggs and Harrison.

McKay, Chairman of the Committee on Military Affairs, reported a bill authorizing the President to accept the service of volunteers, and gave notice that he should some day next week move to go into committee of the whole on the Union upon the bill from the Senate to increase the army.

Howard reported the Senate's Neutrality bill, with all the proposed amendments, and they were laid on the table.

Cambreleng, from the Committee of Ways and Means, reported a bill to provide for the collection, safe-keeping, transfer, and disbursement of the public revenues. He said there was to be also a report, but at the request of the minority it was postponed till next Tuesday. There has been, in fact, no minority upon that committee; John Sergeant having been absent nearly all the time, and but just now returned; Fletcher having taken himself off from the committee and been replaced by John Pope, who has no right arm.

Dawson, from the Committee on the District of Columbia, reported a bill from the Senate for making a second Judge of

the Orphans' Court, the present Judge being superannuated and incapable. Dawson reported an amendment also limiting the term of the Judge's office hereafter to four years. Debate arose; the hour expired, and the new Neutrality bill reported yesterday, and made the special order for this day, was taken up, and, after a warm debate, passed to the third reading by the Cushman screw, the previous question, by yeas and nays—one hundred and thirty to forty-five—and afterwards passed. I voted for the bill, which had been accommodated to my amendments. While the Clerk was engrossing it, I asked leave to offer a resolution calling on the Secretaries of the Treasury, War, and the Navy for returns concerning Pension Agents and their bank connections. But objection was made, and I knew it would be useless to move a suspension of the rules.

I invited a meeting of the members of the Massachusetts delegation to-morrow morning to consult upon a draft of an answer to the letter from James C. Alvord, Chairman of a joint committee of the Massachusetts Legislature. The draft absorbed the evening.

3d. At half-past ten this morning I attended the meeting of the delegation of the Commonwealth of Massachusetts in the chamber of the Committee of Manufactures. Present, Adams, Borden, Briggs, Calhoun, Fletcher, Hastings, Lincoln, Phillips, Reed; absent, Cushing, confined to his lodgings by illness, Grennell, who told me yesterday that he would be engaged this morning both upon the Military and the Cilley committee, and Parmenter, who has gone home.

I read my draft of an answer to the letter from Mr. Alvord twice, and much objection rose against it, and much diversity of opinion concerning it. Governor Lincoln especially seemed much annoyed by it, and by Mr. Alvord's letter. I proposed that my draft should be referred to him and Mr. Fletcher to revise and amend at their discretion, but he positively declined, and it was finally referred to Mr. Fletcher and Mr. Reed. Lincoln takes exactly the course that he did in the committee of the Overseers of Harvard University at the time of the mutiny of the students. He will neither take nor follow a lead. The phantom always before his eyes is responsibility. The other

members of the delegation in this case are scarcely less so—between two fires, anti-slavery and the right of petition; distrustful of Cushing and his course—somewhat emulous, not to say envious, of his aspirations, and absolutely angry with him for presenting the resolutions. I find in all this admonition to extreme caution in my own steps.

4th. The day was occupied in filing, noting, and recording the petitions received within the last week.

I received a note from Mr. Buckingham, with a small pamphlet, containing his notice of his intention to ask leave to bring in a bill in the British Parliament to prevent the barbarous and unchristian practice of duelling. I have been urged by sundry pious persons to busy myself about this reform; and I would enter with great zeal into the project, if zeal could effect anything. My position in a minority makes it useless for me to undertake anything. I fear also that, in the present state of the world, it is an absolutely impracticable thing to suppress the practice of duelling. What influence of fear of punishment can be exercised over men who begin by deliberately staking their lives upon a feather? Mr. Prentiss has introduced an Anti-Duelling bill into the Senate, and the Cilley committee have the same subject committed to them. I expect neither of them will come to anything.

5th. Mr. Ratcliff was here this morning. His memorial for negotiating a ship canal across the Isthmus of Panama has been referred to the Committee of Roads and Canals. Mr. Ratcliff has conferred with the Chairman of that committee, Mr. Mercer, and wishes me to confer with him. He asked my opinion also whether he could with propriety call on the President, Van Buren, to converse with him on the subject. I advised it.

I received by the mail this morning, from Rocky Mount, Franklin County, Virginia, signed by John V. Brown and others, a letter and petition to Congress to arraign at the bar of the House and expel forever John Quincy Adams. At the House it was the day for calling upon the States for resolutions. The Speaker began with Wisconsin and Florida, going through the Territories and new States, then north and east, concluding with Maine. When Massachusetts was called, after all the other

members of the delegation who had resolutions to offer had finished, I offered a resolution that the letter and petition, with the names of the signers, be printed and referred to a committee of nine members, to consider and report thereon, with liberty to send for persons and papers.

The Speaker said the petition could not then be received; resolutions having then the exclusive right to reception.

I claimed the reception of the petition, as involving the privilege of the House and its members. It was accordingly received and read with the names.

Stuart, the representative from that district, said he did not know one of the signers, and believed the names all fictitious.

Patton asked if the question of *reception* could not be made.

The Speaker said it was too late. Mercer moved the question of consideration. Another moved to lay the whole on the table; and that was carried.

The resolutions of the Legislature of Alabama for the annexation of Texas were introduced by Lawler, and at his motion ordered to be printed, and laid on the table. I moved their reference to a select committee, and barely obtained a vote by yeas and nays.

Waddy Thompson told me that he had received last winter a petition numerously signed praying for my expulsion, but he never presented it.

After the call for resolutions had gone through, the Speaker began again at Wisconsin the call for petitions, proceeding as far as Virginia—when, after several unsuccessful attempts, a motion to adjourn, about four o'clock, was carried. I walked home, accompanied to the parting-point by Mr. Kemble.

I asked Mr. Fletcher if he had revised my draft of an answer to Mr. Alvord. He was not yet ready.

There were several votes taken this day without a quorum.

This evening a swindler in a midshipman's uniform, calling himself Lorenzo Russell, came and borrowed ten dollars of me to bear his expenses down to Norfolk, where, he said, he was going, by order of the Secretary of the Navy, to prepare for his examination. He said he had just returned from a station in the West Indies. He said he belonged to Boston, and had no

friends or acquaintances here, and should receive the money for his travelling expenses at Norfolk, and would immediately send me the money. I trusted his coat and his story, lent him the ten dollars, and took his note; not thinking to look into the Navy Register till after he was gone, and finding no midshipman of that name.

6th. Morning visits from Mr. Buckingham, with his son and Mr. Hawley; also from Mr. Southard, Senator from New Jersey, with Mr. Pennington, the Governor of the State, and two others. Mr. Pennington brought me a letter from Dr. Lewis Condict. I showed them a petition which I had received from Newark, New Jersey, relating to the recent fatal duel.

H. R. U. S. I asked leave to present this petition immediately after the reading of the journal. Objection was made, and the reading of the memorial was resisted. I asked the suspension of the rules, and the yeas and nays. Only thirty-six members rose for the yeas and nays, but it was enough, and the vote was carried—one hundred and three to forty. The memorial was from two hundred and twenty citizens of Newark, and was sent to me by . It was read, and, at my motion, referred to the Cilley committee. Patton was highly excited, and seemed fearful of more fighting. I told him that duelling was an appendage to slavery—which cooled him down to a laugh. It has been affirmed in the public papers that the House would not *dare* to act in the Cilley case. The smallness of the vote on my motion to suspend the rules shows that many were overawed.

7th. John Reed returned to me my draft of an answer to the letter from Mr. Alvord, the Chairman of the joint committee of the Massachusetts Legislature, and said they had had a meeting of six members of the delegation, but could not agree upon any part of the answer, and he returned my papers to me. Reed apologized to me for giving me so much trouble, but seemed not to know whether they would answer the letter at all. Fletcher was sick at his lodgings, but Cushing was in the House, and had been there yesterday. It is evident that they are all averse to any action which may countenance the anti-slavery excitement at home. Their wish is as much as possible

to suppress it. Their policy is dalliance with the South; and they care no more for the right of petition than is absolutely necessary to satisfy the feeling of their constituents. They are jealous of Cushing, who, they think, is playing a double game. They are envious of my position as the supporter of the right of petition; and they truckle to the South, to court their favor for Webster. He is now himself tampering with the South on the slavery and the Texas questions. Phillips differs from the rest in opinion, but does not venture to part from them in policy. Fletcher, since his caucus speech in Faneuil Hall and his faltering defence of it in the House, is a cipher, and will drop from his seat or decline a re-election. I will keep with them as long as I possibly can, but may be forced to separate from them, even before the close of the present session of Congress. I asked leave this morning to present two petitions relating to the Cilley duel: one from Frederic P. Tracy and five other Methodist clergymen in Massachusetts, praying for the expulsion of Graves and Wise from the House; the other from John E. Fuller and twenty-seven other abolitionists in Boston, praying for the expulsion of all the parties concerned in the duel, and for an Act of Congress to prevent duelling between their members in future. I merely stated that they related to the duel, and that my wish was to have them referred to the investigating committee. Objection was made, and I asked for the yeas and nays. They were refused, and less than two-thirds voted to suspend the rules; but there was no quorum. A second vote was taken, more numerous, but still less than two-thirds, to suspend, and no quorum. Patton, who in the mean time came in, took up from my table the petition of Fuller and others, looked it over, and asked for the yeas and nays; which were then granted. The vote to suspend was eighty-six to fifty-five—not two-thirds; and so the rule was not suspended.

Patton told me that if the rule had been suspended he should have asked for the yeas and nays on the *reception* of the petition. He did not see the petition which prays for the expulsion of Graves and Wise by name.

8th. W. Cost Johnson's resolution concerning the public lands was the unfinished business of the morning hour, but his

colleague, Howard, informed the House that he was indisposed, and wished the House to proceed to the orders of the day; to take his resolution to-morrow. As the order of the day, Fairfield contested the floor with Cambreleng, who claimed it for the Civil and Diplomatic Appropriation bill. The Speaker gave the floor to Fairfield, who said he had not expected to obtain it, and was evidently disappointed at getting it. He made, however, a dull speech of about two hours, professedly in support of Evans's bill, but, from beginning to end, in fact against Evans's speech and against my Administration. The instant he finished, Cambreleng started up and moved the previous question.

Evans entreated him for fifteen minutes, to reply to Fairfield, and Governor Lincoln also imploringly asked for liberty to make a speech. Cambreleng was inexorable, till the Speaker told him that, after much consideration and reflection upon it all this morning, he had made up his mind that in this case the main question would be the engrossment of the bill for a third reading.

Cambreleng insisted that it would be the reference of the bill to the Committee of Foreign Relations. But, finding he could not maintain that position against the Speaker, he moved to postpone the further consideration of the bill till the 8th of April. Upon a count by tellers, he lost this motion—fifty-three to fifty-five; but there was no quorum. It was near four, and the House adjourned.

I asked Grennell this morning when the Cilley committee would report. He said, probably not within a month.

I gave Mr. Cushing my draft of an answer from the delegation to Mr. Alvord's letter, and told him what had passed with the delegation upon the subject; upon which he appeared to be much surprised.

9th. The report of the committee of conference between the two Houses on the Neutrality bill was taken up, debated, and adopted. Howard boasted that the conferees on the part of the Senate had given up the point of difference between the two Houses for a mere formality of concession by the conferees of the House. The fact was directly the reverse. The Senate

bill had been cunningly devised to arrest all the movements on the Northern frontier and to leave those on the Southern unrestrained, quailing to Great Britain and fraudulently licensing the continuance of hostile movements against Mexico. The House was not prepared for the transparent duplicity of this bill, and, after long and thorough deliberation, rejected it, by yeas and nays. The Committee of Foreign Affairs prepared a fair and honest bill, which was carried with little opposition and by a large majority. The Senate adopted it, with a proviso excepting the contraband trade *by sea*—that is, with Mexico and Texas, there being no trade by sea with Canada. The House disagreed to this proviso; and that was the subject of the conference. The Speaker appointed three conferees, all secretly favoring the fraud of the Senatorial proviso, to which they agreed, with the addition of, "nor any other trade not prohibited by treaty or by the laws of nations." The proviso thus taken together may either nullify the whole bill or operate practically only to interdict the breach of the Northern frontier; and the bill itself is a memorable example of swindling legislation. The report of the committee of conference was carried by the previous question and by yeas and nays—one hundred and five to fifty-one.

10th. I went into the Senate-chamber, where I found John C. Calhoun discoursing to his own honor and glory, and vituperating Henry Clay—upon which delicious topics he had already been two hours occupied, and used up another hour after I went in. It was the settlement of accounts which Calhoun had threatened when Clay attacked him a fortnight or three weeks ago. Clay replied instanter, saying that, though much indisposed, he would not take three weeks to concoct a retort upon the Senator from South Carolina. He was from a half to three-quarters of an hour, and had manifestly the advantage in the debate. Calhoun had affected to consider himself as on the defensive in this contest. But between the special and the present session of Congress he had written a letter at Fort Hill, his residence, to vindicate himself for his change of party, in which he declared that he had no reason to confide in the firmness or patriotism of the Whigs, and that if he con-

tinued to act with them the fruits of victory would all go to them, and not to him and his friends. Clay took his text from that letter, and drove him from his defensive ground irrecoverably. There was rejoinder, surrejoinder, rebutter, and surrebutter. The truth and the victory were with Clay, who closed with a taunting hope that the settlement of accounts was as satisfactory to the Senator from South Carolina as it was to him. Clay spoke of the South Carolina nullification with such insulting contempt that it brought out Preston, who complained of it bitterly. Preston's countenance was a portraiture of agonizing anguish. These personal oratorical encounters between Clay and Calhoun are Liliputian mimicry of the orations against Ctesiphon and for the crown, or the debate of the second Philippic.

11th. In the afternoon I attended at St. John's Church. Mr. Hawley read prayers for the second Sunday in Lent, and Mr. Higbee preached from 2 Corinthians xiii. 14: "The grace of the Lord Jesus Christ, and the love of God, and the communion of the Holy Ghost, be with you all. Amen." A sermon upon the Trinity; dogmatical and pragmatical. It reminded me of what the Irish Jacobin clergyman Beresford said to me at St. Petersburg. I told him I had been reading an admirable sermon of Massillon upon the Divinity of Christ.

"Ah!" said he; "well, I think I will look it up, and preach it next Trinity Sunday."

Mr. Higbee spoke rather scornfully of persons who affect to draw distinctions between theoretical and practical philosophy or science. He said that all practical action in religion must be founded upon doctrine; which may be true; but the converse may be questionable, whether all doctrine must necessarily be followed by practice. He did not very conclusively show to what practical result the doctrine of the Trinity is essential; nor was his doctrine very logically deducible from his text—which very emphatically distinguishes between God and the Lord Jesus Christ on one hand, and the Holy Ghost on the other. There are, to be sure, three persons distinguishable in the text, and one of them is God; but there is not the shadow of an intimation that either the Lord Jesus Christ or the Holy

Ghost is identical with God. The irresistible implication is the reverse. The blessing invoked by the Apostle upon his Corinthian disciples is threefold—the grace or favor of the Lord Jesus Christ, the love of God, and the communion of the Holy Ghost. Now, the favor of Jesus Christ as Mediator between God and man is one thing; the love of God is another; the communion of the Holy Spirit is a third. But if Jesus Christ is God, what is the difference between His grace and His love? and if the Holy Ghost be God, what is the difference between His communion and His love?

Mr. Higbee drove rough-shod through all this; but his whole sermon was didactic, and not argumentative—breathing the spirit of the Athanasian Creed, and dealing damnation round to every stubborn unbeliever. The church was unusually filled for an afternoon service (chiefly with women), and Mr. Higbee's positive and domineering tone was apparently very acceptable to the auditory. Such is generally the Trinitarian temper; but it is not the temper of the meek and lowly Jesus. I have tried very hard and very sincerely to believe in the doctrine of the Trinity, because there are passages in the New Testament which I cannot deny give countenance to it; but when a dogmatist gives me a text which to my naked reason furnishes an argument against it which I find it difficult to answer, and then threatens me with eternal damnation for not believing *him*—"incredulus odi"—my spirit revolts against the yoke, and loses much of its reverence for him who would impose it.

12th. H. R. U. S. Petition day. The Speaker began with Virginia, where he had left off last Monday, and moved northward. It was past three before it came to the turn of Massachusetts. Mr. Fillmore, of New York, presented a memorial from a meeting of the inhabitants of his district, where the capture of the steamboat Caroline took place, complaining of that act, and praying for defensive military force. He moved the reference of the memorial partly to the Military Committee and partly to the Committee of Foreign Affairs. I urged him to move a select committee—which he did; but, after much chicanery, the whole was referred to the Committee of Foreign Affairs.

At my turn, I presented:

41—For rescinding the resolution of 21st December, 1837.

20—For the abolition of slavery in the District of Columbia.

3—For the abolition of slavery in the Territories.

3—For the prohibition of the internal slave-trade.

4—Against the admission of any new slave State.

14—Against the annexation of Texas to this Union.

6—Relating to the duel, and against duelling.

1—From Origen Bachelor and the New York Peace Society, four hundred and twenty-five.

1—From John Adlington, for a midshipman's Revolutionary pension.

1—From Peter Force, for a bounty on raising mulberry-trees.

1—From fourteen Revolutionary pensioners, for freedom to slaves.

1—For expunging the Declaration of Independence from the journals.—96.

Of the memorials relating to the duel, all which were referred to the Cilley committee, I moved that the one from the President and Professors of Cambridge University should be printed.

Mallory, of Virginia, objected, and moved to lay the memorial itself on the table. I called for the yeas and nays—upon which Mallory withdrew his objection. The memorial was referred, and ordered to be printed.

I asked that the petition from the Revolutionary soldiers should be read.

The Clerk began to read, but as soon as he reached the word slavery, three or four Southern members started up, and it was laid on the table.

The petition from P. Force, for a bounty on mulberry-trees, was referred to the Committee of Manufactures, as were some others. I presented the petition for expunging the Declaration of Independence from the journals of the old Congress, together with a petition for rescinding the resolution of 21st December, 1837, and moved the reference of them to a select committee to report thereon. Campbell, of South Carolina,

was up, and began a speech, but the Speaker stopped him; and Cushman moved to lay both petitions on the table; which was done. I asked if the Committee of Foreign Affairs intended to report on the peace petitions; but no answer was given. Neither the Chairman of the committee nor, I believe, any member of it was in the House. There was no quorum in the House three-fourths of the day. There were two calls of the House, both suspended as soon as a quorum appeared. Mr. Webster was making a great anti-Sub-Treasury speech in the Senate.

J. Sergeant lent me for the night the manuscript of part of his minority report on the Treasury bill from the Committee of Ways and Means. The House adjourned at four o'clock.

13th. I returned to Mr. Sergeant his unfinished manuscript report. John Reed came to my seat and proposed a meeting of the Massachusetts delegation at ten o'clock to-morrow morning—to which I assented—to consult together again upon the answer to be given to Mr. Alvord, the Chairman of the joint committee of the Massachusetts Legislature. The fear of responsibility in this case is a two-edged sword. I told Mr. Reed again, what I have constantly repeated, that I would answer the letter in any way upon which they would agree.

The House was deserted again this day. Mr. Webster finished his speech in the Senate; universally thought the most splendid and powerful of his efforts. There was no possibility of keeping a quorum in the House.

Mr. W. Cost Johnson continued another quarter of an hour his speech upon his resolutions concerning the public lands and schools, when the hour expired, and the order of the day, the Civil and Diplomatic Appropriation bill, was resumed in committee of the whole, Z. Casey in the chair. Rariden, of Indiana, toiled much to get inserted an increase of the contingencies of the House to pay for the books purchased for the new members of the House; but Cambreleng threw so many obstructions in his way that he was obliged to give it up.

Howard moved an additional item of outfit for a Chargé d'Affaires to Peru, which Petriken opposed, because of the

bad effect of these multiplied diplomacies upon the Democratic party.

McKim was for the appropriation, and repeated at least ten times that he would be willing to contribute from his own pocket his share to make up for a full Minister to Peru. Matthias Morris moved to reduce the item of contingencies for the foreign missions from thirty to twenty thousand dollars; but without success. About four o'clock the committee rose, and the House adjourned.

14th. In the chamber of the Committee of Manufactures I met with the members of the Massachusetts delegation, to consult together again about the answer to Mr. Alvord, Chairman of the joint committee of the Massachusetts Legislature. Present, Adams, Borden, Briggs, Hastings, Lincoln, Phillips, and Reed, who had requested the meeting; absent, Calhoun, Fletcher, Cushing, Grennell, and Parmenter. The committee of two, Fletcher and Reed, appointed at the last meeting to prepare an answer in place of my draft, had not been more fortunate than myself in suiting the views of a majority of the delegation, and now, after much discussion, at Reed's motion, Briggs and Hastings were chosen a committee to prepare an answer as short and irresponsible as possible. The difficulty all along has been Lincoln's terror of responsibility; and he still declines taking any part in the preparation of the answer.

H. R. U. S. Fairfield had sundry petitions relating to the Cilley duel, which he asked leave to present. Objection was made, and he asked a suspension of the rules, and the yeas and nays, but withdrew the last motion. After taking twice the question without the yeas and nays and no quorum, they were again called, and gave a vote of ninety to fifty-four—not two-thirds, and Fairfield could not present his petitions. Among the negative votes were no small proportion of his own party. The business of the day was miscellaneous. W. Cost Johnson continued for half an hour his speech on the public lands and schools. He touched on nullification, and was called to order by the Speaker, who, since Calhoun's chop round to the Northern man with Southern principles, has become tenderly observant of the feelings of the Nullifiers.

15th. Mrs. Madison had requested that I would call to see her, and I went last evening. Her object was to consult me respecting the publication of her late husband's manuscripts, and she said she had concluded to have one volume of correspondence, concerning constitutional questions since 1829, published immediately by the Harpers, at New York.

H. R. U. S. George Evans announced the death of his colleague, Timothy Jarvis Carter, last evening at ten o'clock; and pronounced the most eloquent and pathetic eulogy upon him that I ever heard delivered on a similar occasion. He then moved the usual resolutions of crape, mourning, and attendance at the funeral, and the adjournment over to Saturday at noon, for which time the funeral is fixed.

18th. I was desirous of taking up the pamphlet published last spring, issued anonymously from the Department of State, under the title of Examination and Review of a Pamphlet printed and secretly circulated by M. E. Gorostiza, late Envoy Extraordinary from Mexico, previous to his departure from the United States, and by him entitled Correspondence between the Legation Extraordinary of Mexico and the Department of State of the United States respecting the Passage of the Sabine by the Troops under the Command of General Gaines. I have lent my copy of it to Mr. Menifee, and, wanting it now, have borrowed one from Mr. Seaton. The scribe of the Department of State begins a controversy with Gorostiza upon the claim of France to Texas, by quoting for his authority the third volume of Hennepin's book, which is known to be an imposture. It is a fearful forethought to me to have to hunt up all these testimonies again, after having consumed so much time as I did in it before, and distracted as I am with a multitude of other objects calling for attention, while the mere assortment of papers and filing of letters received leaves me not even time to keep my daily diary.

20th. The Civil and Diplomatic Appropriation bill was considered in committee of the whole on the Union, Casey in the chair. Cambreleng offered an amendment increasing from thirty to forty thousand dollars the item for the relief and protection of American seamen. I enquired the reason for

this increase. Cambreleng had nothing but a letter from the Secretary of State saying that it would be necessary. A. H. Sheppard and McKay made a debate upon it, which I encouraged, to ascertain the cause of the increased appropriation, which proves to be the loss on exchange in making remittances, and alteration in the mode of making remittances, which, instead of being made to the banker in London, with power to the Consuls to draw upon them under the supervision of the Minister, are now (since 1835) all made by bills of the Consuls, drawn directly upon the Department of State, and therefore subject to enormous losses of exchange. Howard assisted Cambreleng in supporting the increase of appropriation—as did McKim and Phillips, as merchants. I did not oppose it, my object being only to ascertain its cause. Sheppard and McKay would have it cut down. A question was taken, and the vote on the amendment was forty-four to nineteen; no quorum. The committee rose, and reported the fact to the House. Reed moved to adjourn, and called for the yeas and nays, to make a quorum—twenty-one to nine.

Bell made one of his foolish motions to amend the bill by a section to reduce twenty-five per cent. the salaries of all Executive officers appropriated for in the bill. All such motions are waste of time and inherently unjust; but they make warm debate, as did this. Casey pronounced Bell's amendment not in order, from which Bell appealed. The decision of the Chairman was sustained—sixty-six to fifty-seven. Halsted moved to strike out a paltry item of appropriation of four thousand dollars for a jet-d'eau in the Capitol yard, and gave note of a formidable speech against that and other items, and against the whole bill. So the committee rose, and the House adjourned at four.

21st. The Civil List bill was taken up again in committee of the whole on the Union, Casey in the chair, and Halsted made his motion to strike out the item of four thousand dollars for a jet-d'eau in the Capitol yard, giving notice that he should follow it up by motions to strike out other items of appropriation for the public buildings, and he made this his text for a general attack upon this Administration as wasteful and extravagant.

Halsted is a New Jersey Whig, of some eloquence, puny judgment, and egregious vanity. He had prepared a speech of two hours, to be published in the newspapers, upon a question of four thousand dollars for a jet-d'eau; and on this basis he took a comparative view of all the expenditures of the late Administration compared with mine. Assuming the false and base representations of the retrenchment committees as if they were all true and well founded, he presented comparative statements of present expenditures to double and treble the amount of those then so denounced and reproached. This comparison is addressed to the narrow comprehension and sordid niggardliness of the ignorant and envious. But Halsted had prepared his battery without considering upon whom it would bear. He was raking fore and aft the main-deck of his own ship. The expenditures for the public buildings were all proposed by the committee of which Governor Lincoln is Chairman and Mercer and Legaré are members.

Bynum first answered him, with bitter and most insulting personalities. Lincoln followed, and scored him without mercy. Bell, of Tennessee, came to the rescue for him, by adverting to the general duty of scrutinizing the public expenditures and exercising the freedom of debate. Halsted rose to reply, but it was five o'clock; the committee rose, and the House adjourned.

22d. The Civil List bill in committee of the whole on the Union. Halsted replied apologetically to Governor Lincoln, complaining of the harshness of Lincoln's animadversions upon him, wholly unexpected, he said, from that quarter. Halsted took no notice of Bynum's violent attack upon him yesterday, and Boon, of Indiana, gave him this day the jackass's kick, which he received without return. Lincoln replied with great moderation and something of a compunctious visiting for his severity yesterday. Halsted had alluded yesterday to R. M. Johnson the Vice-President's swarthy wife and dingy children in a manner which he thought witty, but which provoked Bynum and Boon beyond all measure, and they, savage-like, took their revenge. Mercer, with much address, moved an amendment to Halsted's proposed amendment, so as to strike out

the four thousand dollars for the jet-d'eau, but to leave it under a more general appropriation for improving the grounds according to the plan adopted by the last Congress. This was rejecting Halsted's amendment by seeming to adopt it.

Mallory read a letter from Captain Dallas, of the navy, with an explanation relating to some charge which Mallory had made in his place against Dallas, and calling upon him to retract it. Mallory said the explanation was not satisfactory, and that he could not retract the charge. Bell renewed his motion to reduce the salaries of Executive officers twenty-five per cent. Cushman raised upon it the point of order. The Chairman decided it was not in order. Bell appealed, and the decision of the Chair was sustained. Bell then moved to reduce twenty-five per cent. the appropriations for the pay and mileage of the members and for the officers of the House; rejected. The committee rose, and reported the bill with amendments, and at four o'clock the Speaker declared the House adjourned.

23d. At the request of Mr. William S. Hastings, I had attended yesterday, in the committee-room of the Committee of Elections, a meeting of several members of the Massachusetts delegation, to consider Hastings's draft of an answer to the letter of James C. Alvord, Chairman of the joint committee of the Massachusetts Legislature. Briggs, Borden, and Parmenter have all gone home; Calhoun, Cushing, Fletcher, and Phillips attended the meeting yesterday; also Hastings and Reed; Grennell and Lincoln were absent. Mr. Hastings read his draft, which was discussed, but I was obliged to leave them, to attend a meeting of the Committee of Manufactures. They, however, formed no quorum.

24th. I attended again in the chamber of the Committee of Elections a meeting of the members of the Massachusetts delegation. Mr. Hastings's draft was further revised, and made acceptable to the members from the Commonwealth now here; and was signed by me, and, I believe, by my colleagues—though by Governor Lincoln with some reservation.

H. R. U. S. Cambreleng moved a suspension of the rules to take up the Civil List bill, which was carried; and the de-

bate and decision upon the specification of the items in the appropriation for the service of the Post Office occurred this day, and not yesterday, when the motion to amend was made, but not debated. The debate has disclosed the artfulness with which the bill now organizing the General Post Office was drawn up to evade the specification of any items of appropriation, and to leave the whole sum appropriated for the service of the General Post Office entirely at the discretion of the Postmaster-General. The design was not apparent on the face of the bill—it was disguised under a provision requiring of him specific estimates; and now, in his report, he says his object has been to *substitute* specific accountability instead of specific appropriations. The appropriation of the last year, in the hurry of the business at the close of the session, passed without specification by inadvertence; and Cambreleng and Connor and Montgomery now made their strongest argument from the precedent. Robertson moved to strike out the item of forty thousand dollars, under the head of miscellaneous, but failed.

26th. Petition day. I presented twenty-one. One from Abel Blakelee for an increase of his pension—referred to the Committee of Revolutionary Pensions; two for peace with Mexico, national arbitration, and a Congress of nations. One of these was from Thomas Thompson, Jr., and one hundred and thirty-five members of the Massachusetts Legislature, which, at my motion, was ordered to be printed, with the names. Howard made some objection to it, but did not insist. The other was from five hundred and thirty-five persons in Maine. I enquired again whether the Committee of Foreign Affairs, to which these petitions were referred, might be expected to report upon the former petitions of the same import which have already been for months before them. Howard answered that the petitions had been referred to a member of the committee to prepare a report upon them, which had not yet been presented. Three petitions relating to the duel—referred to the select committee on that subject; seven to rescind the resolution of 21st December, 1837; one against the admission of Texas; four for the abolition of slavery in the District of Columbia; one in the

Territories; one against the admission of any new slave State, and one praying that all abolition petitions may be laid on the table; and they were all laid on the table.

Many petitions were presented against the practice of duelling; some for the expulsion of all concerned in it, and some for the expulsion of Wise and Graves. Slade presented a great multitude of abolition petitions. The call for petitions was gone through in two hours, after which sundry resolutions were offered; a number of bills were reported.

The Civil List bill was taken up, and Rariden moved his amendment to increase the appropriation for contingent expenses of the House from two hundred and twenty-five thousand dollars to two hundred and seventy-three thousand nine hundred and sixty, to pay for the books voted to the new members of the present Congress. The sum is certainly considerable. Cambreleng objected to the amendment as not in order.

The Speaker decided it was in order.

Cambreleng appealed from his decision, and argued the question for some time, but finally withdrew the appeal at the request of Howard. Cushman moved at last, and carried, the previous question, and Rariden moved a call of the House, which was refused, and his amendment was rejected, by yeas and nays—seventy-one to ninety-five. Reed and Ingham attempted to introduce appropriations for light-houses, but failed. Garland, of Louisiana, moved to recommit the bill to strike out some extra clerk hire, but Connor moved, and carried, the previous question—sixty-nine to fifty-seven—only one hundred and twenty-six members voting; and the bill passed to be engrossed for the third reading, and the House adjourned.

The Independent Treasury bill, as it is now called, or the Sub-Treasury bill, or the Divorce bill between bank and State, passed in the Senate this day by a vote of twenty-seven to twenty-five, after having been stripped on Saturday of the twenty-third section, which was Calhoun's device for the gradual approach to the exclusive use of gold and silver for the receipt and expenditure of the revenue. After breaking off all his Whig associations of the banded league against Jackson

for this ignis-fatuus, it is extinguished before his eyes, and he voted against the bill.

There was a curious document of the Senate laid on the tables of the members—a report from the Secretary of the Treasury and from the Postmaster-General, with an angry and vituperative correspondence between him and George Thomas, the Cashier of the Bank of the Metropolis. It is the most respectful and courteous correspondence in form and the roughest in substance that I ever saw. The reciprocated charges of fraud and knavery are multitudinous, and amply supported on both sides.

27th. The Independent Treasury bill was read twice, and Cambreleng moved its reference to the Committee of Ways and Means. Pickens calls upon him to say whether the soprano from the Senate was to be considered at all in preference to the bill reported to the House.

Cambreleng said he and all his colleagues infinitely preferred their own bill.

Sergeant said, Stop! not so fast. He had no such infinite preference. He did not know which was the worst of the two.

Cambreleng said he of course did not mean those opposed to both bills. Patton made a speech, and moved to lay the Senate bill on the table. Glascock *implored* leave to answer him, and he gave it. Glascock complained bitterly of Patton's unfairness in making this motion when so many *true blues* were absent. Duncan's tongue itched to be let loose, but Patton insisted on his motion, which Glascock, as pledged, had renewed. There was a call of the House, soon superseded; and the bill was laid on the table by a vote of one hundred and six to ninety-seven, Hiram Gray voting in the affirmative, and immediately giving notice that he should move for a reconsideration of the vote.

28th. Bell, Chairman of the Committee of Indian Affairs, moved that the committee should be discharged from the further consideration of a memorial from Riverhead, in the State of New York, for an enquiry into the validity of the fraudulent Schermerhorn Cherokee Treaty, and that it lie on the

table. Everett asked a division of the question. Haynes moved the previous question, and refused to withdraw it, though requested by his colleague, Dawson; but the House would not sustain him. There was a short debate, and the question was divided. The committee was discharged from the further consideration of the memorial, by yeas and nays—one hundred and two to seventy-five, and it was then laid on the table without division. Bell, Chairman of the committee, voted against his own motion; but it is vain to plead for justice in any case concerning Indians. I met Alexander H. Everett and Albert H. Tracy on the floor of the House without the bar. Everett gave me to read a letter from G. Bancroft, the new Collector at Boston, to make a Sub-Treasury man of me.

April 2d. Mr. F. Thomas came to me, and enquired if I would consent to act as a member of the committee of arrangements for the funeral of Mr. McKim, which, he said, would be very acceptable to his family and friends. I answered that I would—not with pleasure, but very cheerfully. Mr. Howard, immediately after the reading of the journal, announced the decease of his colleague, Mr. McKim, with a very touching and elegant eulogy upon his character. The usual resolutions were adopted, and the House immediately adjourned. The committee of arrangements are B. F. Howard, J. Q. Adams, Henry Johnson, of Louisiana, John Miller, of Missouri, Churchill C. Cambreleng, of New York, John Robertson, of Virginia, and Thomas Glascock, of Georgia. The arrangements were agreed upon in the Clerk's office—to meet at Gadsby's, where Mr. McKim lived, at ten to-morrow morning, and thence proceed with the coffin to the House of Representatives, where the religious ceremonies are to be performed. Thence in procession to the railroad-cars, and in them to Baltimore, to be met there by the procession from the city, and go with them to the grave-yard and bury the corpse; then return to the cars, and back in the evening to Washington.

3d. Funeral of Isaac McKim. At ten o'clock this morning I attended, with the other members of the committee of

arrangements, at Gadsby's Hotel; Mr. John Taliaferro being substituted in the place of Mr. John Robertson. At eleven we proceeded, with the body on a hearse, to the Capitol, where, in the House of Representatives, part of the church service was read and an address to the auditory was delivered by Mr. Slicer, the Chaplain of the Senate, Mr. Reese, the Chaplain of the House, being absent. The President U. S. and several of the heads of Departments were there, with a full attendance.

4th. The day consumed in debating resolutions of the Committee of Accounts, for fixing the appointment, number, and compensation of messengers and pages, or boys employed for the service of the House and its members. I very unwillingly took part in this debate. W. Cost Johnson, E. Whittlesey, Dixon H. Lewis, Wise, Haynes, Patton, Waddy Thompson, Dawson, Rice, Garland, and Thomas also engaged in it. The Postmaster of the House is merely a subaltern to the Door-keeper. The messengers and boys have been hitherto appointed by the Door-keeper only; one by statute, and two by usage, have been appointed by the Clerk. I moved an amendment by which they are henceforth to be appointed with the approbation of the Speaker.

23d. Petition day; but the report of the committee on the duel occupied the whole day. Robertson's motion to commit the report to a committee of privileges discussed—Toucey, Elmore, Wise, Menifee, Duncan, Glascock, Fillmore, Sibley, Turney, Fairfield, Cushman, and myself. I opposed the postponement for a fortnight, and said if the postponement should be rejected I would move to recommit the report, with instructions to strike out the resolution and all the argumentative part of the report and report the facts. Adjourned at four.

24th. Report of the Duel committee. Howard made an explanation of what he had said yesterday concerning the delay of the Committee of Foreign Relations to report on our differences with Mexico—that they were waiting for further communications.

The debate on the duel report was continued by Elmore, Robertson, Arphaxad Loomis, Grennell, Tillinghast, Grantland, Toucey, Pope, Parker, Rariden, Taylor, Legaré, and Atherton,

till Calhoun, of Kentucky, moved an adjournment; which was carried.

25th. Slade, who had commenced yesterday, concluded a long speech on the duel report this morning, followed by Toucey, Foster, Fletcher, Wise, Thomas, Graves, Grantland, Grennell, Bell, Pennybacker, and Sergeant. Boon at last called for the reading of the report. The three reports were read, and the House adjourned.

26th. Wise called for the reading of the *evidence* reported by the Duel committee. The whole day was consumed in reading, and the testimony was not concluded when the House adjourned.

A message was received from P. U. S. while the papers were reading. Sawyer objects to receiving the message. The Speaker much disconcerted. Entreats Sawyer to withdraw his objection; which he does. Message received, but not read. Adjourned after four. Read, in the Speaker's room, the message. Partial answer to Everett's call for correspondence with Mexico. Negotiations not finally broken off. The Speaker asks my opinion of Sawyer's objection to receiving the message. I said I thought he (the Speaker) was right —that the message must be received. He said he had consulted Sergeant, who was of the same opinion. Walk with the Speaker.

27th. Mr. Everett lent me his manuscript notes and letter concerning our affairs with Mexico. I read them this morning; very good.

H. R. U. S. Reading of the Duel committee testimony completed. Speech of Toucey, Chairman of the committee; bitter and plaintive; severe upon me. Robertson's reply. Sir Christopher Musgrave. John Hampden. House adjourn without taking any question. Library; met Robertson there. Took out the English translation of Hennepin. Reuel Williams called me out to enquire about a dispatch from Lord Palmerston to Mr. Fox of 19th November, 1837, published in the London Morning Post, but not communicated to Congress by P. U. S., though there has been a later message to the Senate than the last to the House on the Northeastern bound-

ary. He asked me if I knew anything of such a dispatch. I did not.

28th. Robertson finishes his speech. Toucey, Bronson. Stanly notices Toucey's attack upon me. Toucey's reply. Stanly's rejoinder. Cambreleng announces that the debate must stop or that the public treasury will be stranded. Menifee's sharp answer. Wise and Graves enquire if Toucey's report was intended to charge them with a scramble for the advantage of place in the duel. Toucey disclaims all intention of charging them with that or any unfairness. Motion to adjourn soon after three; rejected, by yeas and nays—seventy-one to ninety-six. Motion for a call of the House; ordered. Motion again to adjourn; carried.

May 2d. The motion of Sherrod Williams, to reconsider the vote to strike out the resolution to discharge the committee from the further consideration of the question of the breach of privileges of the House and of the petitions and memorials. Connor moved a call of the House; upon which, after much consumption of time, only one hundred and eighty members were found present. The question of reconsideration was variously debated. McKennan offered a substitute for both my resolutions of instructions, but afterwards withdrew it. The question of reconsideration returned, and I spoke perhaps an hour and a half, and exposed the course pursued by Thomas to evade the manifest purpose of the House by indirection, and I denounced the whole proceeding as an Administration measure, entirely one-sided and partial—which brought up all the bile of Thomas, and of Boon, of Indiana, and they poured it forth in fury.

Thomas repeatedly interrupted me, and got in peppery speeches under color of explanation. Boon impertinently intruded upon the debate, and I got a general laugh of the House upon him by saying that they surely could not understand me as referring to him, fair, candid, and impartial as they had daily opportunities of observing him to be, when I charged this proceeding with the reverse of all these qualities.

Upon the laugh, Boon turned pale as a ghost, came round opposite where I was speaking, stared me in the face while I

was speaking, as if he thought he could browbeat me. I looked him occasionally in the face with cool indifference, and went on.

When Thomas had finished his reply, Boon snarled out his rage in scurrilities, for which he was called to order by the House and the Speaker, though I entreated that he might be permitted to proceed.

Murray, of Kentucky, moved to lay the whole subject on the table; rejected, by yeas and nays—forty-seven to one hundred and twenty-four. The motion to reconsider the vote of yesterday, to strike out the instructions moved by Pickens and accepted by me, was rejected, by yeas and nays—eighty-two to ninety. Then came the question upon my first instructions, as modified by the motion of Rariden, accepted by me. The clause moved by Mercer, requiring the committee to report an anti-duelling bill, fell, of course, by Toucey's report yesterday of the bill from the Senate with amendments. The vote against Thomas's motion to strike out the instruction was, by yeas and nays, ninety-three to eighty-two. Fletcher, of Vermont, then moved an amendment requiring the committee to report again upon the petitions and memorials. Slade moved an amendment to this; which was rejected. Fletcher's amendment was carried, by yeas and nays—eighty-nine to eighty-six.

Arphaxad Loomis moved an amendment requiring the committee to strike out from their report all that required punishment of members of the House.

I frightened him out of it by approving it; and he changed it for an amendment excepting the question of the breach of privilege from the instruction to strike out the argumentative parts.

Reed moved, as an amendment to this, that if any member of the House should prove involved, the committee should report the facts specially, without measures of punishment. After some debate on these amendments, there were sundry motions to adjourn, and one call of the House, rejected by yeas and nays; one, by the casting vote of the Speaker—eighty-eight to eighty-eight; after which, past five o'clock, a motion was carried, without yeas and nays, to adjourn.

Dawson, of Georgia, told me in the House, jokingly, that he had had thoughts of interposing between me and Boon to re-

store the equality. But, as I was coming out of the Capitol, a man, who announced himself to me as an old acquaintance, by the name of Colonel Knight, said he had something confidential to say to me, and took me aside, and, with a solemn look, advised me to be upon my guard, for that Colonel Boon, at whose lodgings I understood him to say that he was a boarder, was a high-tempered and violent man, and might, perhaps, attack me personally. He said that Boon had already been much offended at some quotation made by me in the House, but he did not tell me what it was.

I simply answered that I was obliged to him, and that it was well. I have had many such notices, which I have always despised. May these repeated warnings at least preserve me from giving any just cause of offence, without deterring me from any proper exercise of the freedom of speech!

7th. H. R. U. S. I found the House in session, and sundry members rising successively and presenting petitions, memorials, and resolutions, which were received and acted upon without opposition. I said I had also a few petitions to present, for which I asked leave. Objection was immediately made. I knew it would be in vain to ask a suspension of the rules. Another member immediately asked leave to present a petition; to which I objected, and gave notice that I should object to the reception of any such motion while the indulgences yielded to other members were denied to me.

Cambreleng moved a suspension of the rules to take up the bills referred to the committee of the whole on the State of the Union; lost, by yeas and nays—one hundred and twelve to fifty-seven; close upon two to one. He then moved a suspension of the rules to take up the Treasury Note bill; lost—one hundred and two to seventy-six; not near two-thirds.

The Speaker announced the unfinished business the report of the Duel committee. The question was on an amendment moved by John Reed to an amendment moved by Arphaxad Loomis to the instructions on recommitment of the report proposed by me. Reed's amendment was, that if a member of the House should prove involved in the breach of privilege the committee should not proceed against him, but report that fact

to the House. Sawyer, of North Carolina, after a short speech, moved to lay the whole subject on the table. This, after some discussion, was lost—forty-eight to one hundred and thirty-one. Reed's motion was debated, till Rives moved to postpone the whole subject till the 1st of June, which, after some discussion, he withdrew, at the earnest supplication of Bynum, whose name had at last got implicated in the debate. Rariden had announced his intention to move another resolution, instructing the committee to report upon the part taken in the duel by Duncan and Bynum. This threw them into an ungovernable frenzy; but, Rariden's motion not being in order, the question was taken upon Reed's amendment; which was rejected—seventy-nine to eighty-two. The question coming back upon Loomis's amendment, Sibley moved an amendment to it, instructing the committee to report the names of all members of the House concerned in the duel. Loomis accepted Sibley's amendment as a modification of his own; but it brought off the steam from Bynum and Duncan. Dawson had moved to lay the whole subject on the table and to print the journal and evidence. Briggs called for a division of the question, and the House refused to lay on the table—fifty-five to one hundred and three. At this motion of Sibley's, hastily accepted by Loomis, but under which the agonies of Bynum and Duncan were convulsive, Thomas became alarmed, and moved to lay the whole subject on the table and to print all the papers. He came in thus a second time at a dead lift, and rallied the party with all his powers; but his motion was divided, and that for laying on the table was lost—seventy-three to ninety-five; about half the Administration rank and file voting for and half against the motion. Sibley then replied with spirit to Bynum and Duncan, and pressed Toucey so hard upon his vote to recommit the petitions and memorials, that Toucey declared he had voted for it for the express purpose of defeating the recommitment. Underwood and Bynum took the floor together, Bynum full-charged to reply to Sibley. But, after several struggles and refusals to adjourn, a motion for it was carried, about six o'clock, by yeas and nays—eighty-two to seventy-five.

10th. H. R. U. S. Immediately after the reading of the

journal, a message from the President was received, with a report from the Secretary of the Treasury, urging the extreme necessity of the immediate passage of the Treasury Note bill. Mr. Cambreleng gave notice that when the report of the Duel committee should be disposed of, as he trusted it would this day, he should move to take up the Treasury Note bill to-morrow morning. After some abortive attempts for a call of the House, Underwood made a speech, utterly denying the right of the House to institute any enquiry into a duel for the purpose of censure upon any of its members.

The Speaker arrested him at the threshold of this argument as out of order. Underwood insisted. The Speaker became peremptory. Underwood appealed from the decision, and reduced his point to writing. The Speaker then said the gentleman from Kentucky had narrowed his claim to discuss the right so much that he might proceed; whereupon Underwood for about an hour took a range of argument against the power of the House to institute any such investigation, and that there had been no violation of the privileges of the House whatever.

As he was drawing to a conclusion, Mr. Owens, of Georgia, took me into the lobby of the House and introduced to me the Rev. Charles Wallace Howard, who presented me a recommendatory letter from Governor Gilmer. Mr. Howard is going to England to procure copies of documents relating to the settlement and history of Georgia, at the Colonial Office; and also a library and apparatus for Oglethorpe University. Mr. Owens had asked of me a letter for him to Mr. Rush; which I promised to give him. He said he was at Gadsby's, and should go to-morrow morning for New York, there to embark on the 16th for England.

On returning into the House, I found Thomas speaking with great fervor, and finally concluding with the same motion he had lost last week—to lay all the reports and documents of the Duel committee on the table and print them; not naming the journal. The motion was not debatable. But a division was called. The motion to lay on the table was carried, by yeas and nays—one hundred and three to seventy-eight; almost every Administration member voting for it. Then came the

question upon the printing, which I required should be put as it was entered on the minutes of the journal. The Speaker refused this, saying that the Clerk's entries were only private minutes, and not the journal of the House. Petriken moved the previous question upon the printing, which the Speaker decided would be in order, although only half the motion had been decided before that; the main question would have been upon the resolutions reported by the committee; but, the report being laid on the table, the main question would now be on the printing.

Rice Garland moved a reconsideration of the vote to lay on the table.

Thomas objected that the motion to reconsider could not be made till the vote should be taken on his whole resolution; and the Speaker so decided.

Rice Garland then appealed from the Speaker's decision, but afterwards withdrew his appeal and the motion to reconsider.

I renewed the appeal; but the Speaker decided that, Garland having withdrawn his motion to reconsider, I could neither renew the appeal nor the motion to reconsider, as I had voted against laying on the table.

The question upon the printing was then divided, and taken first on the three reports; carried—one hundred and twenty to seventy-three; and then on the evidence and journal—one hundred and eighty-nine to four. I voted for the printing on both questions.

I then enquired of the Speaker what would be the effect of moving a reconsideration.

He said it would be upon each of the questions separately taken, and not upon the whole.

This decision seemed to me absurdly inconsistent with the previous decision, that a reconsideration of the first vote could not be moved till after the subsequent votes on a divided resolution. For if the reconsideration of one part of the whole resolution could not affect the other questions on the same motion, there is no reason why it should not be moved immediately after taking the vote.

But all this had been settled by a party meeting out of the House, and probably by a compromise with an opposition party

meeting. Laying the whole on the table is, in fact, smothering the report; but it leaves the resolutions of expulsion and of censure suspended over the heads of the members implicated. And perhaps this is the most equitable result of the whole affair that could occur. It is a strong though indirect censure of the House upon the principals and seconds to the duel, and upon the practice itself; and it is a censure alike indirect, not less strong, and as just, upon the report of the committee laid upon the table, outrageous as it is upon every sense of impartial justice. All the parties to the duel are severely censurable; none more so than the man who fell. The majority of the committee who presented this report are still more censurable; for, instead of holding an impartial balance between the parties, they have turned the whole subject into an electioneering engine of party. After the decision of this day, Boon moved that twenty thousand copies of the majority report should be printed for the dear people; which the Speaker declared to be out of order.

11th. I attended at the chamber of the Committee of Manufactures a meeting of the members of the Massachusetts delegation. Present, Adams, Borden, Briggs, Calhoun, Cushing, Fletcher, Hastings, Lincoln, Parmenter, Reed; absent, Grennell and Phillips. We had each of us received printed copies of three sets of resolutions adopted by the Legislature of Massachusetts at their late session—one against the Sub-Treasury bill, one urging an Act of Congress against duelling, and one against the annexation of Texas to this Union. But they are without letter from the Governor or from the Secretary of State, and without authentication other than that they came under a cover sealed with the seal of the Governor and Council. On the resolves against the annexation of Texas, there is a request that they may be presented to both Houses of Congress; but not on the others.

After some consultation, we agreed to have an adjourned meeting on Saturday, the 19th of this month, in the expectation of receiving some other resolutions, which we know were adopted by the Legislature, and perhaps some further authentication of the whole.

I was called out from my seat by the Rev. Mr. Bogue, who

came from New York, as an agent, with a petition in behalf of the Cherokees, which he at first asked me to present to the House; but which he afterwards said he thought it would be best for him to ask Mr. Foster, the Representative from the district whence he came, to present; he therefore kept it to give to Mr. Foster; and I promised to give every aid in my power to urge it upon the consideration of the House. I told him that I had several other petitions with the same prayer; but the House would barely receive them and lay them on the table. They have already so disposed of the Cherokee memorial itself, and of the whole subject.

On returning to the House, I found them debating on the extra printing of the Duel committee papers. Graves had moved for the printing of twenty thousand copies of the testimony and journal, because a very large edition of the majority report had been printed and franked by the Administration members. Then Fairfield moved that twenty thousand copies of the three reports should be printed. Whittlesey moved to reduce the number to ten thousand. Samson Mason opposed the printing of an extra number altogether, on the ground that the majority report was unjust and partial—which he went on to prove with unanswerable force. The Speaker frequently interrupted him, on the pretence that it was not in order to refer to the *merits* of the duel. Mason, however, persisted, disregarding the restriction of the Speaker, which was wholly unwarrantable, until the expiration of the hour, when Cambreleng called for the orders of the day. Mason then gave way. I asked him if he could not have insisted on continuing, as the question in debate was on the privileged subject of the Duel committee report. He said the idea had not occurred to him.

At Whittlesey's request, all the committees were called on for reports. Then Cambreleng called up the bill to carry into effect the Act of 12th October, 1837, authorizing an issue of Treasury notes—a false and fraudulent title. It was considered in committee of the whole on the state of the Union, Ingham in the chair. Cambreleng made a speech of about half an hour upon the prosperous condition of the country, the abundance of our resources, the sufficiency of our revenues, the inflexible

patriotism and firmness of the Administration, and the immediate indispensable necessity of furnishing the Treasury with money.

He was followed by Mr. Cushing in a speech of about the same length, but whether in opposition to the bill or not, it was not easy to say.

Waddy Thompson followed in a set speech against the bill as unconstitutional, and urging upon the Administration a loan, though not venturing to propose one himself, because it would be unpopular. Thompson had not half finished his speech when Underwood moved the committee to rise; vote by tellers—fifty-five to fifty-three; no quorum. The committee rose, but Ingham, the Chairman, reported, instead of the fact of no quorum, that they had risen without coming to any resolution. Briggs immediately moved to adjourn; which was carried, by yeas and nays—seventy-one to sixty-nine—by Sherrod Williams changing his vote. We should else have had a fair prospect of sitting the whole night.

12th. Morning visit from Mr. Cushing, with Mr. Charles S. Daveis, an Agent from the State of Maine, concerning the Northeastern boundary, and also concerning the shipping interest of that State, going to ruin under the treaty negotiated by Mr. Van Buren with England. Mr. Cushing said he was preparing a report for the Committee of Foreign Relations upon that subject, and upon the South Sea boundary.

Mr. Daveis advised him to consult my article in the American Quarterly Review on the trade with the British Colonies. Mr. Daveis brought me a recommendatory letter from Governor Edward Everett, and I received also by the mail a private letter from the Governor. The two letters are of the same date, and compare curiously together.

The Treasury Note bill was taken up in committee of the whole, Ingham in the chair, and debated till past midnight. Waddy Thompson finished his speech, which was rather a vindication of his own opinions as a Southern man, against John C. Calhoun's recent apostasy, than an argument against the bill. He was followed by R. Barnwell Rhett, in what Menifee called a volcanic eruption, and Southgate an earthquake speech.

Rhett's oratory is the ne plus ultra of South Carolina rhetoric—ranting for eloquence; emphatic inconsistency and absurdity. He uttered a furious diatribe against the banks; said they were waging war against the people; they were instigating Congress to refuse the supplies; denied that there was any war of the Government against the banks; said that he was a friend to the banks, but called them all Shylocks, and said if they did not cease to wage this war against the people, the people would pull their banking-houses down about their heads. In delivering this rhodomontade he threw himself into convulsive attitudes reminding me of those by which Satan is said to have been discovered at the gate of Paradise, in Milton's poem. He was immediately answered by Menifee and Southgate, of Kentucky, in his own style of blustering and defiance.

Southgate, before commencing, moved that the committee should rise, it being near five o'clock, but was refused, by tellers —eighty to ninety-seven. Hopkins then offered Rives's printed bill as a substitute for that before the committee. Cambreleng objected to this as not in order. Bell and myself contended for it as being in order, but Ingham, the Chairman, decided that it was not, and Hopkins did not appeal.

Bell made a short speech against the bill, charging the Secretary of the Treasury and the Chairman of the Committee of Ways and Means with presenting the state of the Treasury as far more destitute than it is.

Robertson offered as an amendment the first section of the bill which Hopkins had presented, and the Chairman admitted it as in order. From eight in the evening till half an hour after midnight the time was consumed by W. Cost Johnson, and Harper, of Ohio, speaking against time, with motions at intervals of about ten minutes for the committee to rise, always failing by the casting vote of the Chairman, or by majorities of one or two votes—several times with a majority of one for rising, balanced by the vote of the Chairman making a tie, and thus defeating the motion.

When midnight came, Governor Pope made it a point of order whether the committee should continue in session on the Sabbath, and moved the committee to rise, to take the

question of adjournment by yeas and nays. Ingham read from the journals of 1836 the precedent of the case when Lawler made the same point of order; and, as Lawler had then withdrawn his appeal, Ingham decided that it was in order to legislate on the Sabbath; from which decision Pope took an appeal. The vote on Pope's motion to rise was eighty-three to eighty-two. The Chairman voted in the negative, made a tie, and declared that the committee had refused to rise.

Pope made an argument of delicacy with him, and said that, as it was a vote upon an appeal from the Chairman's decision, he ought not himself to vote. Underwood contended that as it was an appeal on a point of order from the decision of the Chairman, and as the statement of the question must be, Shall the decision stand as the opinion of the committee? it must be carried by a positive majority; and the Chairman's tie could not affirm his decision, but affirmed the vote of the committee to rise.

At last, Morgan, of Virginia, rose, and said he was convinced it would be useless longer to struggle to come this night to a conclusion, and he moved the committee should rise. Two or three votes were changed. The committee rose, and the motion to adjourn was carried, by yeas and nays—eighty-five to seventy-two—five minutes before one o'clock, Sunday morning. Mr. Cambreleng took a seat with me in my carriage, and I took him to his lodgings. I had taken nothing but a glass of water since breakfast.

15th. I was engaged to meet at half-past nine o'clock this morning the Committee on Meteorology, of which John Sergeant is Chairman. I attended accordingly at the chamber of the Committee of Manufactures, but no one came. Sergeant had forgotten it himself, and forgotten to give notice to the other members of the committee.

H. R. U. S. A report was received from the Secretary of the Navy in answer to my resolution calling for returns of payments in advance to Agents, which, at my motion, was laid on the table and ordered to be printed. Sundry reports from committees were received.

Boon renewed his motion to suspend the rules to receive his

resolution against any discrimination of currency in the receipt of public moneys. Sherrod Williams had offered a similar resolution on the 16th of April, which, though only for an instruction to the Committee of Ways and Means, the Speaker decided to be the same with that of Boon, which was a joint resolution. The question for suspension of the rules, therefore, was to take up Williams's resolution, and was lost, by yeas and nays—ninety-four to seventy-six; not two-thirds. Boon gave notice that he should renew his motion every day till the House should act upon it.

Committee of the whole on the state of the Union, Ingham in the chair, on the Treasury Note bill. Tillinghast concluded his speech against the bill. Cushman gave a sneaking and disingenuous explanation of the base intrigue in the first weeks of Jackson's Administration to displace Jeremiah Mason as President of the U. S. Branch Bank at Portsmouth, New Hampshire, and to palm upon the bank a whole Board of Directors of that branch, at the nomination of Isaac Hill, Levi Woodbury, and a gang of Jackson members of the New Hampshire Legislature. Cushman was himself one of the persons thus recommended for Directors of the branch. He has been ever since, and is now, one of Isaac Hill's edged tools.

Richard Biddle followed in a speech against the bill of about an hour and a half, the most eloquent that has been made on the subject. Bell, of Tennessee, succeeded, and then Randolph, of New Jersey—his first, long-premeditated speech, more remarkable for consuming time than for attracting attention. It was irresistibly dull, though the orator is gifted with a clear, strong, and well-toned voice. The committee were so weary of the subject that Mr. Randolph had few, if any, listeners. Night was coming on, and, after sundry attempts to make the committee rise, which failed, just before eight in the evening, by general agreement, they rose and reported the bill, without deciding upon any of the amendments proposed, but with the understanding that they should all be printed to be ready for discussion to-morrow morning upon the bill in the House. I gave notice that if the bill should

pass in its present shape I should move an amendment to its title—to strike out the words "to carry into effect the Act of the 12th of October, 1837."

16th. Boon renewed his motion to suspend the rules for the consideration of Sherrod Williams's resolution, which Williams declared his assent to turn from an instruction to the Committee of Ways and Means into a joint resolution. On a call for the yeas and nays, no quorum appearing, Briggs moved a call of the House; which was commenced, but suspended before it was gone through. The yeas and nays for the suspension of the rules were one hundred and eleven to sixty-nine—a large majority, but not two-thirds. A resolution from the Senate for the relief of Vespasian Ellis passed through its three readings at the urgency of H. A. Wise, who was named in it, and had some agency in the transaction to which it applied. After some other business of routine, the rules, on Cambreleng's motion, were suspended, and the Treasury Note bill, reported last night to the House, was taken up. Robertson's amendment, proposing a loan as a substitute for the Treasury notes, and a further amendment, proposing a loan together with an issue of two millions of Treasury notes, were before the House for consideration. Ogden Hoffman began the debate with a speech of great heat, chiefly in answer to Rhett and South Carolina nullification. But, as Hoffman touched upon the sore of South Carolina, Waddy Thompson, against whom Rhett's speech had been chiefly pointed, felt himself bound to defend his State in reply. John W. Jones, of Virginia, followed with a moderate and sensible speech in support of the bill. Jones is a member of the Committee of Ways and Means—a lame and mean-looking man, seldom speaking, though a very handsome speaker, and covering under a cold exterior of indifference a deep and rancorous malignity. Wise succeeded him in a speech of not much impression, because he has been a week absent and taken no time for premeditation. He exhibited an old Continental bill for thirty dollars, of May, 1775, and a sheet of North Carolina five- and ten-dollar bills, of 1778, and compared them with the Treasury notes issued under the Act of 12th October, 1837.

Bynum came next, with an effusion of his oil of vitriol, for about two hours. Evening was coming on. Garland, of Louisiana, moved to adjourn, but, on opposition made, withdrew the motion; afterwards renewed by Calhoun, and rejected, by yeas and nays—sixty-four to one hundred and twenty-five. Cushman then moved the previous question. There was a call of the House, till the presence of two hundred members was ascertained. The vote seconding the previous question was ninety-eight to ninety-five; that ordering the main question, ninety-nine to ninety-nine—a tie—carried by the casting vote of the Speaker. The vote to engross the bill was one hundred and six to ninety-nine; the Virginia conservatives, and Rariden, of Indiana, voting for it.

Sherrod Williams moved to recommit the bill, with instructions to report a loan, Treasury notes, and the sale of the bonds of the Bank of the United States. Cushman moved again the previous question; carried—one hundred and three to ninety-four. Rariden moved a reconsideration of the engrossment of the bill, which the Speaker, against the remonstrances of Mr. Bell, pronounced not in order. The bill was then passed without taking the yeas and nays. I moved to strike out from the title the words "to carry into effect the Act approved the 12th of October, 1837;" which was agreed to. And Mr. Fletcher moved to add the words "to meet the current expenses of the Government;" which was also agreed to. Rariden then gave notice that he should to-morrow move the reconsideration of the vote on the passage of the bill. At a quarter-past ten in the evening the House adjourned.

17th. Cambreleng called for the orders of the day. Rariden's motion for reconsideration then came up. Several questions of order were proposed and adjusted. A call of the House ordered, and carried through, till two hundred and fifteen members answered to their names. The previous question seconded by a vote of one hundred and nineteen, and the main question ordered—one hundred and forty-one to sixty-four. The vote on reconsideration was one hundred and ten to one hundred and nine. The Speaker voted in the negative, making a tie. So the reconsideration was not carried,

and the bill was passed. If the vote had been direct on the passage of the bill, it would thus have been rejected.

There was a message from the President relating to the title of the United States to the territory west of the Rocky Mountains. Mr. Cushing had moved the resolution calling for it, and then a resolution referring it to the Committee of Foreign Relations, with instructions to enquire into the expediency of establishing a post on the Columbia River for the defence thereof, and of making further provision by law to prevent any intermeddling by any foreign power with the Indians there. Mr. Cushing made a speech, tracing the history of the disputed titles to the Northwest coast and of our negotiations with Great Britain concerning it; and he alleged that Great Britain had been encroaching upon our rights there, as she had been on the Northeastern boundary. He laid down certain positions somewhat questionable concerning territorial rights in the Western hemisphere, and called very emphatically upon me to sustain him, both with regard to his facts and his principles.

Thus suddenly called out, I took the floor, and rambled over the topics upon which he had touched for an hour or more, without order or method, as kind and courteous to him as I could be, and dissatisfied with no one but myself.

Rice Garland came, and entreated me to write out and publish my speech, on account of what I had said concerning West Florida. After I had finished, Cushing soon gave way to a motion for adjournment; which was carried, about four o'clock. There was not half a quorum in the House. I came home thoroughly worn out.

19th. Adjourned meeting of the members of the Massachusetts delegation at the chamber of the Committee of Manufactures. Present, Adams, Borden, Briggs, Calhoun, Cushing, Fletcher, Grennell, Hastings, Lincoln, Parmenter, Reed; only Phillips absent, as he has been many weeks. Each of us had received ten sets of resolves, adopted by the Legislature of Massachusetts at their last session—1, against the annexation of Texas; 2, Sub-Treasury; 3, right of petition; 4, Northeastern boundary; 5, slavery and slave-trade in the District of Columbia and Territories; 6, admission of new States; 7, inter-State slave-

...n with Indian tribes; 10, duelling.
...ers without authentication. Governor
...ten to the Secretary of the State, Mr.
...nquire how this had happened. Mr.
...lso written to the Governor making the
...d received from him an answer that it was
... would be rectified. Governor Lincoln was
...g any of these resolutions to the House till
... authenticated; but, as there was a confident
...hey would be so by the mail of this or of to-
...it was agreed that on Monday next each of
...ent one set of the resolutions; and they were
...ong the members of the delegation, there being
...h member excepting one. The moving for the
...em was left to the discretion of each presenting
...received this evening circulars signed by Governor
...rett and by John P. Bigelow, Secretary of the
...alth of Massachusetts, authenticating the ten sets
...ons of the Legislature previously received; also a
...n Benjamin Lundy, announcing the destruction by
...d by a mob, of the new Pennsylvania Hall, erected
...y for free discussion, which had been opened last week.
...e night before last, Thursday, 17th May, 1838, burnt
...ound. Lundy says that all the valuable property that
...n the world was deposited there, and is destroyed.
... H. R. U. S. The States, beginning with Maine, were
...for petitions; of which I presented thirty-five, being ex-
...the number of days since the last presentation. Twenty-
...of these were against that abomination, the fraudulent
...of New Echota, and for justice and mercy to the Chero-
...Indians. I presented them all at once, knowing that every
...of them would be separately laid on the table. Multitudes
...other petitions to the same effect were thus laid on the table,
...the motion of the members from Georgia. Calvary Morris
...wards presented one from one hundred and seventy-seven
...ns of Marietta, Ohio, which, with a short speech, he moved
...uld be referred to a select committee. Owens moved it
...uld be laid on the table. Morris called for the yeas and

nays. Chapman, of Alabama, moved a call of the House, but it was denied, and the petition was laid on the table—one hundred and seven to seventy-one.

I presented the petition of Stephen Taller and thirty-eight inhabitants of Jeffersonville, Goochland County, Virginia, praying for my expulsion as a nuisance, which I moved should be referred to the Committee on the Judiciary.

Dromgoole said he supposed it was a quiz, or, if not, it was a question of privilege, and must be decided by the House. He moved it should be laid on the table, unless the gentleman from Massachusetts wished to give it another direction. I said the gentleman from Massachusetts cared very little about it; and it was laid on the table.

Of the resolutions of the Legislature of Massachusetts, those concerning the militia were presented by Governor Lincoln, and referred to the committee of the whole on the state of the Union; those on the Sub-Treasury bill to the Committee of Ways and Means, presented by Mr. Fletcher; those on the Northeastern boundary, by Mr. Cushing, referred to the committee of the whole upon George Evans's bill; those on our Indian relations by Mr. Reed, and, at the motion of a Georgia member, laid on the table. They objected also to their being printed, and that question was laid over. Those against the annexation of Texas were presented by George N. Briggs, who moved their reference to the Committee of Foreign Relations, and that they be printed. Haynes was just moving to lay them on the table, when I appealed to his candor and generosity, and also to his State-rights principles, to let them be referred; observing that I hoped and trusted the questions relating to Texas and Mexico would now cease to be causes of division among us; that the Mexican proposal for an arbitration of our differences has been accepted; that the Texan proposal for annexation has been, or is about to be, withdrawn; that all objection to a fair consideration of these memorials and petitions seemed to be removed; and the gentleman from Georgia might be well assured that no report from the Committee of Foreign Relations on this subject unfriendly to his views was to be expected.

Haynes then said that to show his generosity, since I appealed to it, he would withdraw his objection to the reference and the printing of these resolutions. No other person made objection, and the resolutions were referred.

This point being gained, I moved the reference to the same committee of all the petitions this day presented against the annexation of Texas; of which there were several.

Some uneasiness was manifested by several members, and particularly by C. F. Mercer, who objected to the reference of one memorial, but, upon being told by the Speaker that several had been referred, withdrew his objection—not without muttering.

W. B. Calhoun presented the Massachusetts Legislative resolution against the admission of any new slave State into the Union. The first resolution was half read, until the Clerk came to the word slavery, when he was stopped by the Speaker, and the resolutions were laid on the table, under the order of 21st December, 1837.

Grennell presented the resolutions on the subject of duelling, which were referred to the committee of the whole House on the state of the Union, to which the bill from the Senate against duelling has been referred. There remain three sets of resolutions of the Massachusetts Legislature to be presented hereafter.

Among the petitions which I presented was one, with documents, which I found on my table, from Sidnah Kibby, for a widow's pension. The Speaker presented several petitions, and I reminded him of one from the workmen employed here on the public buildings, thrown out of employment by the suspension of the work on the Treasury Building. He presented it, and it was referred to the Committee on the Public Buildings.

After the call for petitions was gone through, Boon had leave to make an explanation, which was, that he and Sherrod Williams had disagreed as to the mode and form in which the resolution against the specie circular was to be brought forward, and so he had no alternative but to resume his seat.

22d. A message from the President was received, with an ultimatum from the Secretary of War to the Cherokee delegation now in this city, accepting conditionally their proposal of

a new treaty in the place of that of New Echota; which raised a breeze in the House and occasioned a long debate. The message was at first referred to the committee of the whole on the state of the Union; then a reconsideration moved and carried, and, after a fruitless motion to lay it on the table, it was finally referred to the Committee on Indian Affairs.

The House then took up Mr. Cushing's motion to refer to the Committee of Foreign Relations the message from the President concerning the Territories west of the Rocky Mountains and on the Pacific Ocean. Cushing concluded his speech, dwelling emphatically upon the usurpations of the British trading companies on the Northwest coast. He was followed by Howard, who, without opposing Cushing's motion of reference or his proposed instructions, feebly resisted parts of his argument.

Elmore, of South Carolina, moved different and much enlarged instructions to the committee, but assented to Cushing's proposal that they should be additional to those proposed by him; and so they were adopted. Elmore said he had proposed to address the House on the subject, but was not now prepared, and would forbear. It was four o'clock, and the House adjourned.

23d. Committee of the whole, Howard in the chair, on the bill of appropriations to suppress Indian hostilities. Bell moved an amendment authorizing an allowance of two millions of dollars more to effect peaceably the removal of the Cherokees, and with their own consent. Wise made a long and ardent speech upon the general subject of our policy towards the Indians; exposing especially the baseness and perfidy of the pretended treaty of New Echota. The complaints of the Seneca Indians were incidentally brought into the discussion, and Fillmore had by some unnatural influence been induced to assume the defence of Schermerhorn's swindling practices. Towns, of Georgia, undertook to answer Wise, but with little success. Wise resumed, and continued his speech till near four o'clock without concluding, frequently interrupted by Dawson, Legaré, Graham, Grantland, Towns, and Downing, the delegate from Florida.

A message from the President was received, containing a letter from the Governor of Maine to the Legislature of that State, and resolves adopted by them relating to the Northeastern boundary. Evans moved that the message and documents should be printed, and the consideration of them postponed till Tuesday; which, after some objection from Cambreleng, was carried.

Mr. Webster had come into the House, and had me called from my seat, to say that this message had been received in the Senate; that it was not satisfactory; that it was desirable that a joint meeting of the delegations in both Houses, of Massachusetts and Maine, should be held, to consult together on the subject; and that a previous meeting of the Massachusetts delegation would be expedient.

I promised to give notice to the members from the State in the House, and to inform Mr. Webster of the time and place for the first of these meetings.

25th. H. R. U. S. Immediately after the reading of the journal, a message was received from the President requesting permission to withdraw the two obnoxious papers concerning which Mr. Hoffman had yesterday moved a suspension of the rules for him to offer his resolutions. The message says, that, sensible that those extracts were of a character which would, if attention had been directed to them, have prevented their transmission to the House, the President requests permission to withdraw them. With the message there was a report, rather awkwardly apologetic, for the transmission of the papers. One was a newspaper, the other a printed slip from another newspaper, with an endorsement in Mr. Woodbury's own handwriting, directing the Clerk to file it with the papers concerning the introduction of paupers. Hoffman was not in his place, and some discussion was had what should be done with the message and with the extracts.

It was agreed to call the reports of committees, to give time for Hoffman to come in. Bouldin, Chairman of the Committee on the District of Columbia, reported, without amendment, the bill from the Senate for continuing conditionally till the 4th of July, 1840, the charters of the District banks, and with great earnestness urged its immediate adoption.

Petriken moved to postpone the consideration of the bill till next Monday week, and was evidently opposed to the bill itself.

Bouldin, Thomas, and Mercer urged the immediate passage of the bill, and Jenifer, equally earnest for that result, was desirous of striking out one of the conditions prescribed in the bill from the Senate. Bouldin moved the previous question.

I had been endeavoring to obtain the floor to propose an amendment—a fourth condition—that no dividend to stockholders should be made whenever specie payments are suspended. I asked Bouldin to withdraw his motion for the previous question, to give me the opportunity to offer this amendment, but he refused. The previous question was carried, and the bill passed to the third reading by a vote of one hundred and thirty-one to forty-one. Upon the question *when* the bill should be read the third time, Petriken moved again Monday week—lost; next Monday—lost; to-morrow—lost; this day—and the bill was read the third time.

The question being put on its passage, I moved it should be recommitted to the Committee on the District of Columbia, with instructions to report my amendment, and asked for the yeas and nays; which were ordered. Fillmore thought an additional clause would be necessary, requiring the acceptance by the banks of the prescribed conditions. Bouldin was perfectly willing to adopt both the amendments, but was afraid of risking the bill back with any amendment to the Senate; he was for driving through the bill *now*, and Thomas was prompting him to call the previous question again, when the hour expired, and the orders of the day were called. Bouldin moved to suspend the rules to take the question upon the bill, but I resisted, and he failed. Hoffman had now come into the House, and a desultory debate followed on the message from the President relating to the two slanderous papers. Cambreleng had moved that the Pauper committee should be discharged from the consideration of them; that they should be taken from the files and returned to the President. This was finally carried by the previous question; after which the message was laid on the table and ordered to be printed, with some

desultory censure upon the President, and especially upon the Secretary of the Treasury, and some unsettled enquiry how the offensive papers were to be abstracted from the files of the House.

26th. Met the Massachusetts delegation in both Houses at nine this morning, in the chamber of the Committee of Foreign Relations, to consult upon what shall be done with respect to this Northeastern Boundary question. There was not even time for a useful interchange of opinions concerning it. In the present state of the negotiation there is a proposal from the British Government to draw a conventional line of boundary, or to submit the question again to an arbitration; both of which are declined by the Legislature of the State of Maine, which is urgent upon the plan of making a survey, and has resolved that if it be not made by authority of the United States, with or without the concurrence of Great Britain, before next September, it shall be made by authority of the State alone.

Mr. Webster, Mr. Davis, Governor Lincoln, and myself made some remarks indicating not an entire uniformity of opinion as to what is to be done. At last it was agreed that the two Senators should be a committee to consult with the Senators from the State of Maine and agree upon a time and place for a consultation between the two delegations.

While the House was in session, Mr. Pontois, the French Minister, came in upon the floor behind the bar with the Prince de Joinville, a son of the French King, Louis Philippe. He is an officer in the French navy, and is ranging round the world for his improvement. Mr. Pontois sent Saligny to call me from my seat, and, with many apologies for the shortness of the notice, invited me to dine with him, in company with the Prince, this day—the Prince's stay here being so short that he would be obliged to leave the city on Monday morning. He is going to Philadelphia, Pittsburgh, the Falls of Niagara, New York, Boston, and Newport, Rhode Island, where the line-of-battle-ship L'Hercule, of one hundred guns, is to go to take him up in fifteen days from this. He arrived in this ship a few days since at Norfolk, and is obliged to return to France to be at home in July. I accepted the invitation of Mr. Pontois,

whose dinner-party consisted of the Prince, Mr. Ernoux, his Aide-de-Camp, and, I suppose, travelling companion; Captain Rosamel, son of the French Minister of Marine, and Commander of the corvette Favorite, sailing with L'Hercule; the Surgeon of the Prince, and two young midshipmen, sons, one of Monsieur de Mareuil, heretofore Minister of France here, and the other, a Las Cases of the Napoleon tribe. Messrs. Pageot, Montholon, Montmaur, and Saligny, appendages to the French Legation, were of the company; and Colonel Richard M. Johnson, Vice-President of the United States, James K. Polk, Speaker of the House of Representatives, John C. Calhoun, Senator from South Carolina, Levi Woodbury, Secretary of the Treasury, Mahlon Dickerson, Secretary of the Navy, Hugh S. Legaré, member of the House from South Carolina, and myself.

The Prince is a young man between nineteen and twenty, of very grave appearance and great simplicity of manners, tall, slender, with a sallow complexion, dark, prominent eyes, rather hard of hearing, slow enunciation, and a slight stoop of the head, giving him an awkward appearance, but probably habitual from intenseness of attention to hear what is said to him, great composure and gentleness in his manner, and French politeness in his deportment. He told me that this was his fifth maritime campaign, and that he had now been nine months absent from France. I sat between Mr. Pontois and Mr. Ernoux, with whom I had a great variety of conversation upon subjects interesting to Frenchmen, while the Vice-President had not a little with me across the table.

27th. After dinner, at St. John's Church. Mr. Hawley read evening prayers, with only the second lesson for the fifth Sunday after Easter; and a stranger preached from John viii. 51: "Verily, verily, I say unto you, If a man keep my saying, he shall never see death." There were scarcely thirty persons in the house. The neglect of public worship in this city is an increasing evil, and the indifference to all religion throughout the whole country portends no good. There is in the clergy of all the Christian denominations a time-serving, cringing, subservient morality, as wide from the spirit of the gospel as

it is from the intrepid assertion and vindication of truth. The counterfeit character of a very large portion of the Christian ministry in this country is disclosed in the dissensions growing up in all the Protestant Churches on the subject of slavery. The abolitionists assume as the first principle of all their movements that slavery is *sin.* Their opponents, halting between the alternative of denying directly this position and of admitting the duty binding upon them to bear testimony against it, are prevaricating with their own consciences, and taxing their learning and ingenuity to prove that the Bible sanctions slavery; that Abraham, Isaac, and Jacob were slave-holders; and that St. Paul is the apostle of man-stealers, because he sent Onesimus back to his master Philemon. These preachers of the gospel might just as well call our extermination of the Indians an obedience to Divine commands, because Jehovah commanded the children of Israel to exterminate the Canaanitish nations. This question of slavery is convulsing the Congregational Churches in Massachusetts; it is deeply agitating the Methodists; it has already completed a schism in the Presbyterian Church, two separate bodies of which are now in session in Philadelphia, each pretending to be the General Assembly of the whole Church. From all this present evil may the Fountain of all truth draw future and transcendent good!

28th. I was belated in my attendance at the House. It was the day for offering resolutions, and as the Speaker had begun the call of the States with Maine, he had reached Pennsylvania before I entered the House. I was obliged to wait until all the States and Territories were gone through, and then to ask leave to offer successively two resolutions. The first, that all the resolutions of State Legislatures, petitions, and memorials relating to the annexation of Texas to the United States, presented at the late and present sessions of Congress, and laid on the table, be referred to the Committee of Foreign Relations; to which the resolutions of the Legislature of Massachusetts and sundry petitions against the said annexation have already been referred.

This resolution passed, with only a symptom or two of opposition.

The next was a call upon the President for any correspondence, not heretofore communicated, with the Government of Texas, or with any other Government, relating to the annexation of Texas to the United States, and for information whether the application from Texas for admission into this Union had been withdrawn.

The Speaker objected that I had already offered one resolution.

I answered that this was upon the same subject.

He said the rule was that no member should offer more than one resolution, or one *series*, on the same subject; that I had offered one resolution, and the question had been taken upon it.

I said it was true the resolutions had been upon two separate papers, but that was mere matter of form, and I claimed as my right under the rule to offer the second. It happened that during this little altercation there was no captious member who rose to countenance the Speaker, who finally said that, hearing no objection, he would receive the resolution. By the rule, it should have lain over one day; but, as no objection was made, he took the question upon the resolution, and it passed without opposition. There could be no stronger proof of the change in the feeling of the House regarding Texas.

Mr. Hastings offered the resolutions of the Legislature of Massachusetts against the Patton gag, and moved that they should be read. They were read, and he moved that they should be referred to a select committee and printed.

Dromgoole moved that they should be laid on the table; which was carried, by yeas and nays—one hundred and ten to fifty-nine. I then moved that they should be printed; but the Speaker said that was not in order. Cushing then presented the same resolutions, and moved that they be printed; which was ordered. The Speaker asked Cushing whether he proposed to have them laid on the table. Cushing said he did not make that motion. But Haynes, of Georgia, made it, and on the table they were laid.

29th. Bouldin called up the bill continuing for two years, from the 4th of July, the charters of the District banks.

The yeas and nays had been ordered upon my proposed amendment to prohibit the making of any dividend while specie payments shall be suspended. But Petriken moved another amendment, excluding members of Congress and all officers of the two Houses from being Directors of any of the banks.

Thomas said the members were ready to vote on the bill, and moved the previous question; which he withdrew on Mercer's promise to renew it. Mercer's wise and honest observation, for which he thus bargained for the exclusive freedom of speech, was, that my amendment was perfectly just and proper, but that these charters were to be continued only for two years. So dishonesty only for two years reconciled Mr. Mercer to moving the previous question, and it was carried; and the bill was passed, by yeas and nays—one hundred and thirty to forty-five.

I had told Mr. Frye it would be so. There is no more desperate undertaking than that of controlling the bank influence, and it is irredeemably and vitally dishonest. Frank Thomas himself, by nature, education, and habit an exceeding knave, has been year after year railing at the District banks, and now plays the game of knavery into their hands. This bill is bristled with three conditions of which they complain, but of no avail. They will accept and break them with equal indifference.

Committee of the whole on the state of the Union, Howard in the chair, on the six or seven million Indian Appropriation bill. The question was upon an amendment proposed by Bell, that two millions of the sums appropriated by the bill may be allowed as additional to the Cherokees, to make them go peaceably and quietly to their new homes west of the Mississippi. Haynes finished his speech commenced yesterday. Harlan took the floor, and moved that the committee should rise; lost—fifty-eight to sixty-seven. Harlan spoke for about two hours, about once in each half-hour yielding to a motion for the committee to rise; rejected without a quorum, which compelled the committee to rise and report the fact to the House. Then a motion to adjourn; rejected, by yeas and nays, with a bare quorum; a return into committee, and no quorum. The first time that the committee rose and reported that they had no quorum, I moved

a call of the House, and asked for the yeas and nays—about sunset; call refused—forty-seven to ninety-nine. I afterwards declined voting, and said I hoped others who wished to adjourn would do the same, and, by leaving the majority without a quorum, compel them to adjourn or call the House. There was a majority, about seventy-five in number—the Administration Bashaws and Helots—who would neither call the House nor adjourn, and a minority, from forty-five to fifty, who suffered themselves for four hours to be made the tools of this dragooning majority, by voting to make a quorum, instead of declining or refusing to vote; which would have forced the majority to do their duty, which was, either to call the House or to adjourn. There was always a sufficient number of the minority who would omit to vote in the committee, where no record of names appears, but had not the courage to withhold their answers when the yeas and nays were called in the House. This round of overbearing insolence and of tame submission and of low skulking was carried on full four hours, while Harlan, and after him Holsey, of Georgia, were bawling at the intervals to empty arm-chairs. Five times the committee rose, and reported themselves without a quorum; five times the House refused to adjourn by majorities of a quorum which they could not have made but by the servile aid of the minority in voting at all. More than one hundred members were absent without leave, and the hack majority in the House would neither call them to their duty in the House nor release the minority from their forced attendance. When, after they refused at my motion to call the House, I gave notice that I would no longer vote, and said I hoped others would do the same, Cushman and Boon threatened a motion to expel me; and I called upon them to try their hands. They were, after all, obliged to give up the point. About ten o'clock, upon Wise's intimating that he proposed to make another long speech upon the bill, the committee rose, and the House adjourned. It was near eleven when I reached home.

30th. H. R. U. S. Sergeant S. Prentiss and Henry J. Word were sworn and took their seats as Representatives of the people of the State of Mississippi. On going up to the Speaker's chair,

Prentiss, for himself and his colleague, addressed the Speaker, and said they were ready to be sworn, but claimed their seats by virtue of their election last November, conformably to the law of the State, and not by the more recent election, which they held to be unconstitutional. The Speaker made no answer, but administered the oath.

A joint resolution was received from the Senate, passed by them yesterday, rescinding in effect the specie circular of 11th July, 1836. Boon, who has made himself exceedingly officious upon this subject, moved a suspension of the rules to take it up; which was carried—one hundred and thirteen to thirty-four. Then he moved the previous question upon its passage to a third reading; carried, by yeas and nays—one hundred and fifty-one to twenty-seven. Martin came in after his name was called, and pleaded hard to be allowed to vote, but was refused. Duncan moved an amendment at the third reading, restricting the sales of public lands—not to exceed three hundred and twenty acres to one individual, and no sale but for occupation. Boon, for answer, moved the previous question again; carried, and the resolution passed—one hundred and fifty-four to twenty-nine. Lyon, of Alabama, came in afterwards, and asked leave to have his vote recorded for the resolution, but was refused. Pickens at first protested against the interruption of the order of business to take up the resolution, but voted for it, both at the second reading and the passage. The resolution had been adopted in the Senate by a vote of thirty-four to nine; and Silas Wright, the financier of Mr. Van Buren, did not vote upon it at all.

The Indian Hostility bill followed, in committee of the whole on the Union, Howard in the chair. Holsey, of Georgia, finished his speech commenced last evening, chiefly a heavy, dull invective against me and my Administration, and a glorification of Georgia for having set me at defiance. Holsey affects to be a systematic lawyer. He said to-day—referring to the decision of the Supreme Court of the United States against the Legislative robbery by Georgia of the Indian lands; which decision Jackson prevented being executed—that the *law* consisted of the co-operating action of three Departments of Government—

the Legislative, the Judicial, and the Executive; that wherever the concurrence of either of those Departments was wanting there was no law; that in the case alluded to, there was against Georgia the concurrence only of the Legislative and the Judiciary, and so long as the Executive was on the side of Georgia she would laugh to scorn the decision of the Supreme Court of the United States. And such is the composition of the House of Representatives of the United States that discourse like this passes for argument. This same Holsey said on a former day that there were two kinds of justice—moral justice and political justice; that the people of Georgia were at all times willing to dispense political justice, but would never suffer that *moral* justice should be secured to them. And this, like the laughing to scorn of the decision of the Supreme Court of the United States, he said boastfully, to the honor and glory of the people of Georgia. Holsey's laws of justice and of nations stung Naylor, who followed him with a vehement denunciation of Georgia, and especially of that ne plus ultra of rascality, the treaty, so called, of New Echota, of December, 1835. Naylor proved by numerous references to the documents the nefarious villainy of that whole transaction; but the Senate of the United States, by the vote of two-thirds of the Senators present, advised and consented to its ratification. The frauds were all then exposed. But Holsey's principle is the practical law of the land. Moral justice—"laudatur et alget."

He was followed by Dawson, a far more intelligent and plausible man, who said he was considered in Georgia as belonging to what was called the Indian party; he had always been the friend of the Indians, and was for doing them full justice. But he attempted to justify the conduct of Georgia by the principles of my Plymouth oration and by the practice of all the older States. Dawson was followed by Bell, of Tennessee, who began a long speech as the sun was setting; but about eight o'clock, from mere weariness, the committee rose, and the House adjourned. I got home about nine. There is a panic rumor abroad, artificially gotten up, of slave insurgency; amounting to nothing.

31st. Committee of the whole on the Union, Howard in the chair, upon the Indian Hostility bill. Bell's amendment was the proper subject for debate. It was to authorize the President to apply two millions of the money appropriated by the bill to coaxing the Cherokees from their homes, instead of paying with it white soldiers for driving them off at the point of the bayonet. But Bell, upon this slender basis, went into a general censorial review of all the measures of the late Administration, and a vindication of himself against a systematic course of slander pursued by Jackson and his toad-eaters to run him down, especially in his own State of Tennessee. Bell was about four hours upon his feet this day, after having discoursed about two hours on the subject yesterday.

I had forgotten to mention a fiery speech yesterday by Chapman, of Alabama, immediately succeeding that of Naylor, and intended to answer it. Bell was this day followed by Horace Everett, who gave only the heads of a speech of four hours, which he requested the committee to consider as delivered by him, but from the hearing of which he would relieve the House and publish it in the newspapers. Everett is a member of the Committee of Indian Affairs, and had prepared a very elaborate speech to prove the baseness, fraud, and perfidy of the pretended New Echota Treaty of the reverend caitiff Schermerhorn; things proved, "usque ad nauseam," two years ago, reproved four or five times in the course of this debate, and by inevitable implication admitted in the recent message, with the ultimatum from the Secretary of War to the Cherokee delegation now here. This message and ultimatum have indeed rendered all discussion upon the Schermerhorn counterfeit superfluous. But Everett's speech was all prepared, and, although he was willing to release the House from hearing it, he was not willing to lose it altogether.

Next came Crary, of Michigan, who appeared as if he felt bound to make one speech in the session to prove his fealty to the Administration, and that it might as well be upon this as upon any other question.

Turney, of Tennessee, followed—a Heroite, and, of course, a virulent antagonist to Bell. He mumbles his words, so that

it is impossible to hear him without a degree of attention which it is not much more practicable to bestow. There was not half a quorum present, and of them about one-half were slumbering in their seats and the other half yawning over newspapers; here and there a strolling wanderer behind the bar was pacing to and fro to keep up the circulation of the blood; two or three settees, each with a member stretched out his whole length, occupying it all, sound asleep; and groups of two or three seated before each open window, gasping, in idle conversation, for fresh air. About eight o'clock Turney made a pause. A motion was made for the committee to rise, and Cambreleng obtained an order to make the bill the special order of the day for to-morrow, from eleven o'clock. It was again between nine and ten when I got home.

END OF VOLUME IX.

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